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SENATE AND ASSEMBLY

SECOND EXTRA SESSION
1940

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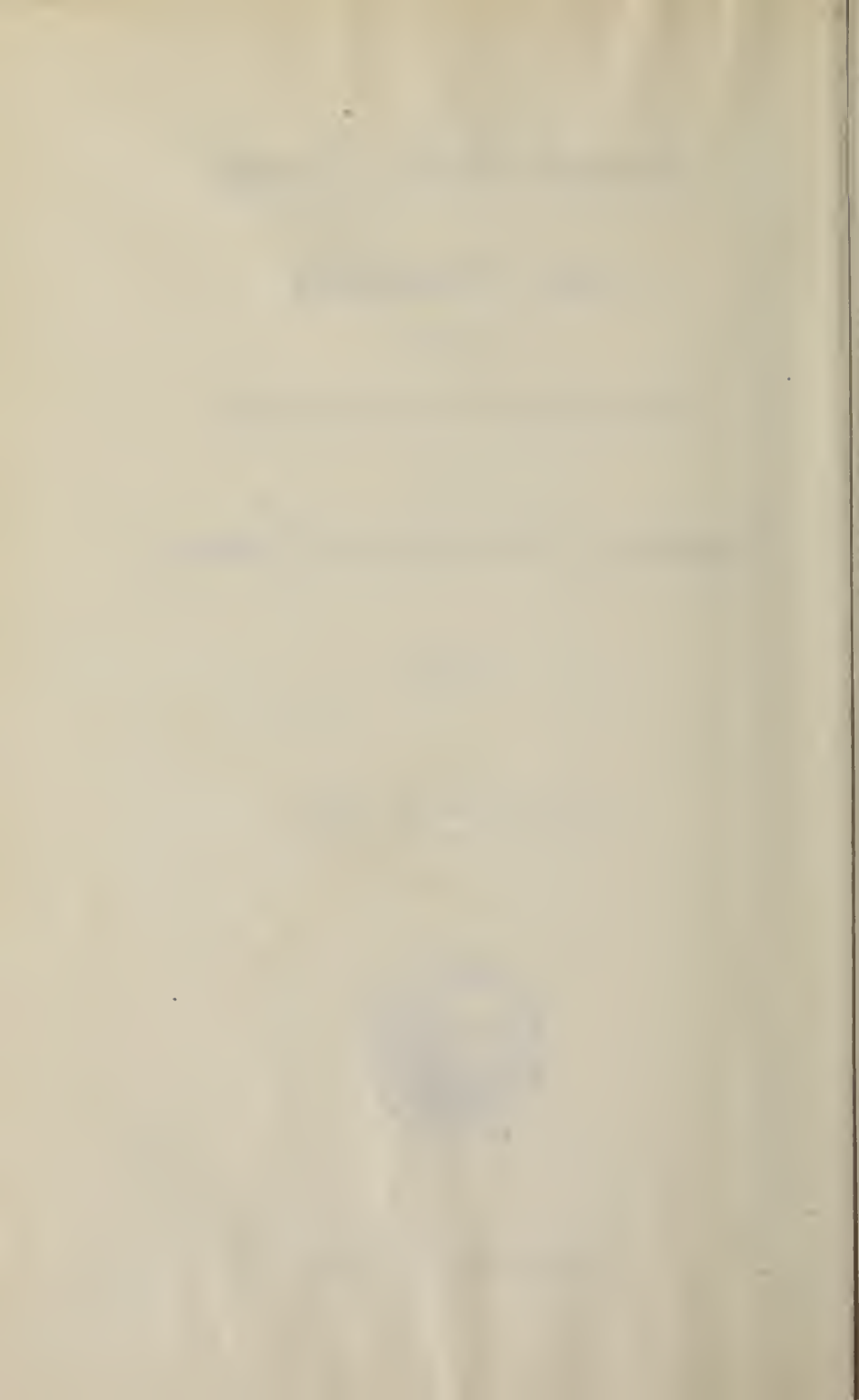


Journal of the Senate
and Assembly
during the
Fifty-third (Second Extraordinary) Session
of the
Legislature of the State of California
1940

Began on Monday, May Thirteenth
Ended on Friday, May Twenty-fourth



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CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO.

Monday, May 13, 1940.

The Senate met at ten o'clock a.m., pursuant to the provisions of the proclamation of His Excellency, Culbert L. Olson, Governor of the State of California, dated May 10, 1940, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor Ellis E. Patterson, President of the Senate of the fifty-third session, in the chair, called the Senate to order.

Pursuant to the provisions of section 237 of the Political Code, Joseph A. Beek, Secretary of the Senate, James Boyd Garrison, Minute Clerk, and Joseph F. Nolan, Sergeant-at-Arms, were present and occupied their respective positions.

The roll was called, and the following Senators answered to their names:

Senators Biggar, Breed, Brown, Crittenden, Cunningham, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Waggy—32.

Prayer.

By invitation of the President, prayer was offered by the Rev. A. Raymond Grant, Chaplain of the Senate of the fifty-third session.

Leaves of Absence.

Senator Holohan was, on motion of Senator Tickle, granted leave of absence for this day.

Senator De Lap was, on motion of Senator Metzger, granted leave of absence for this day.

Proclamation of the Governor.

The President of the Senate directed the Secretary of the Senate to read the proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Secretary read the following proclamation:

Proclamation.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,

May 10, 1940.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened; now, therefore,

I, Culbert L. Olson, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Monday, the 13th day of May, one thousand nine hundred forty, at 10 o'clock a.m. of said day, for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon legislation making an additional appropriation to the Reclamation Board for construction, land, rights of way, easements, and general administrative operations and overhead, in augmentation of the appropriation made by Item 206 of the Budget Act of 1939.

2. To consider and act upon legislation making an appropriation to the emergency fund created by Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate, and prevent such damage and destruction.

3. To consider and act upon legislation to provide for the acquisition and construction, maintenance and operation of a system of works for the control, storage, conservation and utilization of the waters of the Napa River and its tributaries.

4. To consider and act upon legislation making an appropriation to the Department of Natural Resources for forest fire suppression and prevention.

5. To rescind the action of the Legislature in adopting Senate Constitutional Amendment No. 9, Resolutions Chapter 119 of the Statutes of 1939.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of May, A. D., one thousand nine hundred forty.

CULBERT L. OLSON,
Governor of California.

Attest:

PAUL PEEK,
Secretary of State.

[SEAL]

Senate Resolution No. 1.

The following resolution was offered:

By Senator Slater:

Resolved, That the Senate do now organize and proceed to elect the officers and employees of the Senate for this fifty-third (second extraordinary) session.

Resolution read, and on motion of Senator Slater adopted.

Senate Resolution No. 2.

The following resolution was offered:

By Senator Rich:

Resolved, That Senator Jerrold L. Seawell be and he is hereby elected President Pro Tempore of the Senate; that Joseph A. Beek be and he is hereby elected Secretary of the Senate; that Joseph F. Nolan be and he is hereby elected Sergeant-at-Arms of the Senate; that James Boyd Garrison be and he is hereby elected Minute Clerk of the Senate; that Rev. A. Raymond Grant be and he is hereby elected Chaplain of the Senate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 2 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Fletcher, Garrison, Gordon, Hays, Hollister, Jespersen, Keating, Kenney, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Waggy—28.

NOES—None.

Oath of Office Administered.

The newly elected officers of the Senate, Senator Jerrold L. Seawell, President Pro Tempore; Joseph A. Beek, Secretary; Joseph F. Nolan, Sergeant-at-Arms; James Boyd Garrison, Minute Clerk; and Rev. A.

Raymond Grant, Chaplain, appeared at the bar of the Senate where the Constitutional oath of office was administered to them by the Honorable Rolfe L. Thompson, Justice, Third District Court of Appeal, and they subscribed to the same.

Senate Resolution No. 3.

The following resolution was offered:

By Senator Seawell:

Resolved, That the Standing Rules of the Senate of the fifty-third (first extraordinary) session be and the same are hereby adopted as the Rules of the Senate for this fifty-third (second extraordinary) session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 3 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Fletcher, Garrison, Gordon, Hays, Hollister, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Nielsen, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Tickle, and Wagy—27.

NOES—None.

Senate Resolution No. 4.

The following resolution was offered:

By Senator Fletcher:

Resolved, That the Standing Committees of the Senate, together with the Committee on Attaches of the fifty-third (first extraordinary) session be and the same are hereby appointed committees of this fifty-third (second extraordinary) session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 4 adopted by the following vote:

AYES—Biggar, Breed, Crittenden, Fletcher, Garrison, Gordon, Hays, Hollister, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Nielsen, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—28.

NOES—None.

Senate Resolution No. 5.

The following resolution was offered:

By Senator Myhand:

Resolved, That the President of the Senate appoint a special committee of three Senators to notify the Governor of the organization of the Senate for the fifty-third (second extraordinary) session and that the Senate is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Myhand, adopted.

Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Myhand, McCormack and Fletcher.

Senate Resolution No. 6.

The following resolution was offered:

By Senator Mayo:

Resolved, That the President of the Senate appoint a special committee of three Senators to notify the Assembly of the organization of the Senate for the fifty-third

(second extraordinary) session and that the Senate is now duly organized and is ready to receive any communication it may have to make.

Resolution read, and on motion of Senator Mayo, adopted.

Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Mayo, Brown and McBride.

Senate Resolution No. 7.

The following resolution was offered:

By Senator Gordon:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate elected the following statutory officers of this fifty-third (second extraordinary) session:

<i>President Pro Tempore</i>	Jerrold L. Seawell
<i>Secretary of the Senate</i>	Joseph A. Beek
<i>Sergeant-at-Arms</i>	Joseph F. Nolan
<i>Minute Clerk</i>	James Boyd Garrison
<i>Chaplain</i>	A. Raymond Grant

Resolution read, and on motion of Senator Gordon, adopted.

Senate Resolution No. 8.

The following resolution was offered:

By Senator Brown:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law, for attendance upon the fifty-third (second extraordinary) session:

Sensors	County	Mileage	Total at five cents per mile
Biggs, George M.	Mendocino	468	\$23 40
Breed, Arthur H., Jr.	Alameda	178	8 90
Brown, Charles	Inyo	1,292	64 60
Collier, Radolph	Siskiyou	590	29 50
Crittenden, Bradford S.	San Joaquin	98	4 90
Cunningham, R. R.	Kings	428	21 40
DeLap, T. H.	Contra Costa	160	8 00
Ducl, Charles H.	Butte	228	11 40
Fletcher, Ed.	San Diego	1,146	57 30
Foley, John D.	Santa Clara	256	12 80
Garrison, J. C.	Stanislaus	164	8 20
Gordon, Frank L.	Napa	110	5 50
Hays, Ray W.	Fresno	338	16 90
Hollister, J. James	Santa Barbara	854	42 70
Holohan, James B.	Santa Cruz	396	19 80
Jespersen, Chris N.	San Luis Obispo	666	33 30
Keating, Thomas F.	Marin	210	10 50
Kenny, Robert W.	Los Angeles	894	44 70
Mayo, Jesse M.	Calaveras	170	8 50
McBride, James J.	Ventura	980	49 00
McCormack, Thomas	Solano	124	6 20
Metzger, D. Jack	Tehama	286	14 30
Mixter, Frank M.	Tulare	432	21 60
Mohand, Peter P.	Merced	222	11 10
Nielsen, Roy J.	Sacramento	2	10
Parkman, Harry L.	San Mateo	238	11 90
Phillips, John	Riverside	1,094	54 70
Powers, Harold J.	Modoc	832	41 60
Quinn, Irwin T.	Humboldt	624	31 20

Senators	County	Mileage	Total at five cents per mile
Rich, Wm. P.	Yuba	104	5 20
Seawell, Jerrold L.	Placer	108	5 40
Shelley, John F.	San Francisco	180	9 00
Slater, Herbert W.	Sonoma	180	9 00
Swing, Ralph E.	San Bernardino	1,016	50 80
Tickle, Edward H.	Monterey	474	23 70
Wagy, J. L.	Kern	556	27 80

Officers	County	Mileage	Total at ten cents per mile
Patterson, Ellis E., President	Los Angeles	894	\$89 40
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Garrison, J. B., Minute Clerk	Alameda	190	19 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 8 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, Garrison, Gordon, Hays, Hollister, Jespersen, Keating, Kenny, McCormack, Metzger, Mixter, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—27.

NOES—None.

Senate Resolution No. 9.

The following resolution was offered:

By Senator Tickle:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, beginning May 13, 1940, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the same respective amounts and the Treasurer is hereby directed to pay the same:

	Six days per week
Maitland S. Pennington, Assistant Secretary	\$7 00
John F. Lea, Assistant Secretary	7 00
Robert G. Alderman, Engrossing and Enrolling Clerk	7 00
Harry L. Jordan, Bookkeeper to Sergeant-at-Arms	5 00
N. L. Levering, Journal Clerk	7 00
Vera Frank, Chief Stenographer	6 00
Howard S. McIntire, History Clerk	7 00
Belle Tomasini, Stenographer	5 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 9 adopted by the following vote:

AYES—Senators Biggar, Breed, Crittenden, Cunningham, Garrison, Gordon, Hays, Hollister, Jespersen, Keating, Kenny, Metzger, Mixter, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—25.

NOES—None.

Senate Resolution No. 10.

The following resolution was offered:

By Senator Nielsen:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to receipt to the Controller for warrants for members and officers of the Senate.

Resolution read, and on motion of Senator Nielsen, adopted.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Senator Mixter:

SENATE CHAMBER, SACRAMENTO, May 13, 1940.

MR. PRESIDENT: In accordance with the provisions of section 2, Article IV of the Constitution, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Respectfully submitted.

SENATOR MIXTER.

Request referred to Committee on Rules.

Reports of Special Committees.

The following reports of special committees were received:

Senators Myhand, McCormack and Fletcher, the special committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Also:

Senators Mayo, Brown and McBride, the special committee appointed to notify the Assembly of the organization of the Senate, reported that they had performed their duty.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, May 13, 1940.

To the Senate and Assembly of the State Legislature of California.

GREETINGS: Events occurring since the issuance by me of the proclamation calling a special session of the Legislature on January 29th last, have produced conditions requiring another special session of the Legislature for the enactment of urgency legislation to meet conditions caused by those events. I, therefore, issued a proclamation calling for another special session fixing the time for its convening at ten o'clock a.m. on Monday, May 13, 1940. The subjects specifically submitted in this proclamation are the following:

First: To consider and act upon legislation making an additional appropriation to the Reclamation Board for construction, land, rights of way, easements, and general administrative operations and overhead, in augmentation of the appropriation made by Item 206 of the Budget Act of 1939.

An additional appropriation of \$1,900,000 is required for this purpose.

Briefly, the reasons for and conditions justifying this additional appropriation are as follows:

The extraordinary floods of the Sacramento River and its tributaries occurring in March and April of this year have done great damage to the river levees and other works of the Sacramento River Flood Control Project. These damages must be repaired before another flood season, in order to avert even worse and irreparable damages.

The Sacramento River Flood Control Project is a plan, now being prosecuted by the Federal and State governments and local interests, for the protection of the Sacramento Valley from the floods of the Sacramento River and its tributaries. The plan has as its coordinated purposes: First, flood control, making possible the maintenance of river levees and the forming of self-scouring river channels; second, the scouring out of mining debris which has accumulated in the river channels; and third, the restoration and maintenance of navigation.

The project has been under construction under the present plan since 1928. In your regular session of 1939 you appropriated \$1,211,570 for the State's share of the 1939-41 program thereunder. Because of the extraordinary floods referred to, the public welfare in the preparation for future flood seasons requires immediate enlargement of the 1939-41 program under this project.

Levee breaks in the recent floods occurred in levee sections not as yet constructed to standard specifications. The breaks occurring in these floods resulted in the

inundation and consequent severe damage to some 350,000 acres of reclaimed land. Great difficulty was experienced in preventing further breaks and overtopping of levees that were not up to standard. This condition requires the completion of all programmed works for the 1939-41 construction season. To be effective, this work must be consummated before the next flood season.

The amount of the additional appropriation of \$1,900,000 which I recommend is based upon surveys and recommendations of the State Reclamation Board and the California Debris Commission.

Attention is called to existing Federal requirements which stipulate that the State's share of participation in this project must be transmitted to the Treasurer of the United States before contracts may be let by the California Debris Commission. In addition, there is required a thirty-day period of advertising the contracts for bids. It should also be noted that time is needed for the Reclamation Board staff to secure the necessary rights of way and borrow areas before construction can commence.

The State funds appropriated by you should be made available not later than June 1, 1940. This would enable bids to be opened on the largest and most urgent items of construction on or about June 20th, and successful bidders probably would start actual construction early in July.

The total yardage that should be placed in levee sections before next flood season is approximately 9,400,000 cubic yards on about 70 miles of levee.

The recent disastrous floods have eroded and weakened Sacramento River Flood Control Project levees to such an extent that the necessary funds must be made immediately available so that these protective works can be reconstructed and restored to standard specifications before the next flood season. The lives and property of over 250,000 inhabitants in an area exceeding 1,000,000 acres of highly developed agricultural land are exposed to a repetition of devastating floods that might again result in tremendous loss of life and property.

These levees also safeguard a large public investment in State and county highways and other public works in the counties of Butte, Colusa, Glenn, Sacramento, Solano, Sutter, Yolo and Yuba.

Second: The next and related subject included in the proclamation calling this special session is an appropriation to the Emergency Fund created by Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction.

The unusually heavy rains and floods occurring in the months of February, March and early April of this year were particularly disastrous in most of northern California. The first and greatest flood occurred from February 25th to March 2d, when as much as twenty inches of rain fell in a five-day period and the resulting floods were in many places higher than any known record. Ten lives were lost, a thousand square miles of land flooded, and damages amounting to about twelve million dollars occasioned. A report covering the effect of this flood in detail and itemizing the damage, both by location and character, was prepared by the Department of Public Works and submitted to me on March 18th. Reference is made to this report for a full description of this flood and the ensuing damage.

Great distress has been occasioned by this flood emergency, and widespread appeals have been made for State and Federal assistance. The Federal Government has responded by making WPA funds available, by disaster loans, by easing of Federal Land Bank payments, and in other ways. The State is expending \$60,000 from the Emergency Fund in the closing of the more critical levee breaks, and has set aside an additional \$250,000 from the Emergency Fund for flood damage restoration work. Applications for State assistance totaling about two million dollars have been received.

There is ample precedent for such assistance. Following the storms and floods of the winter of 1937-1938, when flood damage in large amount occurred in most parts of California, the Legislature in special session in March, 1938, appropriated five million dollars for flood damage restoration, which sum has practically all been allocated and expended under close technical and financial supervision by the State. Following the precedent established in 1938 in extending State assistance, in communities damaged by floods and which are unable themselves to carry on the work of rehabilitation, State assistance is necessary and justified.

All applications for State assistance are being investigated in the field by Department of Public Works engineers, and reports on many are completed. An estimate of the appropriation to the Emergency Fund necessary to meet this State obligation fairly and properly, using the 1938 criteria as to eligibility will be furnished me by the Department of Public Works within a day or two. This will be duly transmitted to you with my recommendation as to the amount of your appropriation.

Third: The third item contained in this Proclamation is that you consider and act upon legislation to provide for the acquisition and construction, maintenance and operation of a system of works for the control, storage, conservation and utilization of the waters of the Napa River and its tributaries.

In the Napa Valley a water shortage has become acute and urgently calls for solution.

The water supply for the Veterans' Home of California, and other State institutions in Napa County, is inadequate. Chapter 760, Statutes of 1937, and Chapter 678, Statutes of 1939, both urgency measures, appropriated moneys to be expended by the Department of Finance for the purchase or construction of a dam and water distribution system for the Veterans' Home of California, and other State institutions in Napa County.

By Chapter 413, Statutes of 1935, the Rector Dam Authority was created and given authority to investigate and determine the best method of impounding the waters of Rector Creek, in Rector Canyon, and the feasibility of erecting a dam and constructing a system for the distribution of the waters of Rector Creek to the public or to municipalities, or to public districts, or to State institutions or agencies. It was given jurisdiction over a portion of Napa State Farm, from which the present water supply for the State institutions is taken, for use as a site for the construction of a proposed dam. It was also given authority to issue revenue bonds to the Federal Government to construct a dam and necessary distribution system.

A survey is now being made by the Department of Public Works for the purpose of determining the most feasible and economical location for a dam and reservoir, but it would appear that additional legislation is necessary before starting construction, whatever the survey may indicate to be the best means of meeting the situation.

Under existing legislation the Rector Dam Authority can not use the funds appropriated to the Department of Finance for the construction of the dam. On the other hand, the Department of Finance has available the moneys appropriated, but it has no jurisdiction over the proposed Rector Dam site, which is vested in the Rector Dam Authority, and could not use the site if it were determined that it was the best location for the dam. The appropriations to the Department of Finance are also limited to the purchase or construction of a dam and water distribution system for the Veterans' Home of California, and other State institutions in Napa County. In the event sufficient water were impounded by the dam constructed by the Department of Finance to leave a surplus after the supplying of the State institutions in Napa County, there would be no legal authority for distributing this water.

In order to protect the State's investment of several millions of dollars in its institutions in Napa Valley: to avoid the impairment of the health of inmates by reason of the lack of adequate water; to eliminate a serious fire hazard; to bring together money and lands heretofore made available to different agencies, and to otherwise cure the defects of existing legislation and to permit the acquisition of a sufficient water supply upon the most sound economical basis, it is deemed necessary that such a measure prepared under the direction of the Director of Finance and Director of Public Works will be duly submitted for your consideration. The need and urgency for such further legislation is attested by the previous enactments which have been cited.

Fourth: The fourth subject submitted in this Proclamation for your consideration is the making of an appropriation to the Department of Natural Resources for fire suppression and prevention.

Adequate fire protection for our forests and watersheds is also related to the flood control program; but, independent of the aid which adequate fire protection of our forests would be to flood control, the need for additional funds for fire suppression and prevention is so vital and immediate that your action in responding to it is a very urgent necessity.

A state-wide Fire Control Plan has been adopted by the present State Board of Forestry, as a result of a careful study of the actual fire situations which have occurred in California during the past ten years. The technicians and forest rangers of the Division of Forestry have assisted in the preparation of this plan; and in its adoption the Forestry Division has also had the advice and cooperation of the United States Forestry Service.

In view of the approaching fire season the total special appropriation requested for the period from May 15, 1940, to June 30, 1941, is \$883,600, which appropriation I hereby recommend.

These additional funds are required because they will result in a future saving of fire control money, as well as of taxable wealth, many times greater than the proposed expenditure.

These additional funds are also necessary to compensate for the lack of protection which has resulted from the withdrawal of the Civilian Conservation Corps from first line fire protection.

The members of the Legislature have been furnished detailed information in support of this recommended appropriation and the urgency thereof, including the following information:

During the calendar year of 1939 the State Division of Forestry suppressed 6,864 fires burning in timber, watershed, range and grain areas and incidental structures.

These fires burned over more than half a million acres of State protected land. The losses sustained are not to be calculated merely for our generation, for there were losses not only of homes, live stock, property, range, grain and timber, but in addition we have the huge and incalculable loss of fertile soil washed from the watersheds by millions of tons into the streams and rivers and into the sea. These are the most serious damages of all, and they will not, and can not, be replaced within many generations, if ever.

The fires of the last season and of previous ones are a contributing cause of the floods of the current spring season. This is established beyond all question of doubt. Without better fire suppression and prevention of the annual loss of protective forest cover, future flood crests will rise to unprecedented heights. Future rains will erode the exposed soil of mountain and foothill slopes, bringing ruin not only to these lands but to the valley farms and communities below.

During 1939 there were 6,864 of these fires. During 1940, with the best of luck, Division of Forestry will suppress not less than 4,000 fires.

Yet the hudget of the Division of Forestry has never been adequate to meet these normal and known conditions. Each year huge emergency and deficiency appropriations have been made when the emergency was upon us; they were necessary and compelled by calamity.

The cheapest and most efficient way to suppress fires is before they occur, or, in any event, at their inception, and the additional appropriation should be considered as an economy measure.

Fifth: The last item or subject submitted in this Proclamation for your consideration is the rescission of the action of the present Legislature in adopting Senate Constitutional Amendment No. 9, Resolutions Chapter 119 of the Statutes of 1939, which would automatically be submitted to the voters at the general election of this year.

My reasons for submitting this subject and recommending, which I do, the rescission of your adoption of this proposed constitutional amendment are two-fold.

First: It is the only way open for me to go on record in the journals of your proceedings against the adoption of this amendment; and

Second: My belief that the far-reaching, injurious consequences of this amendment, if adopted, may not have been given the consideration due the subject when the resolution was passed.

This proposed amendment would allow for unlimited encroachment on the executive branch of the government by the judicial branch, contrary to the basic conception of the independent functions of the three branches of government under the American constitutional system. It would place in the courts a responsibility to determine purely administrative acts.

Every order or determination of any administrative officer, board or commission in the performance of their duties under the Constitution and in the administration of the acts of the Legislature, would be subject to review, trial de novo, revision or revocation upon appeal therefrom to a judge of a superior court, regardless of the fact that the order or determination is purely an administrative act under all standards and precedents established throughout the history of our constitutional system.

It would enable any private interest to obstruct the execution of acts of the Legislature, by compelling administrative orders made under them to run the gamut of judicial procedure until a court of last resort, after long delays, shall tell the administrative officer or commission whether and how the law may be enforced.

The effect would be a circumvention of the execution of laws and a promotion of governmental inefficiency.

I can not too strongly urge your reconsideration of this resolution, with the hope that you will rescind it.

This special session is called for an hour immediately prior to the resumption of the special session previously called, in expectation that you may delay resumption of the previously called special session to act or initiate action upon these urgency matters before resuming that session.

Respectfully yours,

CULBERT L. OLSON,
Governor of California.

CLO:eg

Leaves of Absence.

Senator Deuel was, on motion of Senator Nielsen, granted leave of absence for this day.

Senator Collier was, on motion of Senator McBride, granted leave of absence for this day.

Privilege of Floor of Senate Extended.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. George M. Hanson.

Message from the Assembly.

At eleven o'clock a.m., a committee from the Assembly, consisting of Messrs. Field, Phillips and Robertson, appeared at the bar of the Senate and announced that the Assembly was duly organized and ready to proceed with the business of the State.

Senator Rich in the Chair.

At eleven o'clock and fifty minutes a.m., Senator Rich of the Tenth District was called to the chair.

Messages from the Assembly.

The following messages from the Assembly were received and read.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1940

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day elected the following statutory officers for this fifty third (second extraordinary) session:

Hon. Gordon H. Garland	Speaker
Hon. Gardiner Johnson	Speaker Pro Tempore
Jack Carl Greenburg	Chief Clerk
David V. Oliver	Minute Clerk
Wilkie Ogg	Sergeant at Arms
Rev. Raymond Lull Bailey	Chaplain

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. Booth, Assistant Clerk.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1940

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

House Resolution No. 5.

By Mr. Desmond:

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a committee of three to confer with a committee of the Senate for the purpose of determining and reporting to the Assembly and to the Senate their recommendations as to the procedure to be followed by the two houses of the Legislature in considering the subjects of legislation proposed by the proclamation conveying this second extraordinary session; and, be it further

Resolved, That the Senate is hereby requested to appoint a like committee for the aforesaid purpose; and, be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Senate;

And appointed Messrs. Desmond, Lyon and Fitcher as such Special Committee.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. Booth, Assistant Clerk.

Resolution referred to Committee on Rules.

Adjournment.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Seawell, the Acting President of the Senate declared the Senate adjourned, until ten o'clock a.m., Tuesday, May 14, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE

FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,

Tuesday, May 14, 1940.

The Senate met at ten o'clock a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Nielsen, Parkman, Phillips, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—34.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Monday, May 13, 1940, the further reading was dispensed with, on motion of Senator Slater.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Senator Kenny:

SENATE CHAMBER, SACRAMENTO, May 13, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR KENNY.

Request referred to Committee on Rules.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 13, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request, by Senator Mixer, for permission to introduce a bill:

An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately;
Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly adopted:

Assembly Joint Resolution No. 1—Relative to memorializing Congress to enact the necessary legislation to purge the United States of Communism and all of the subversive influences and front organizations which are instigated, encouraged and fostered by it.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Assembly Joint Resolution No. 1 ordered referred to Committee on Rules.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 14, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Kenny for permission to introduce a bill:

An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately;
Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to the Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bills were introduced:

Senate Bill No. 1: By Senator Mixer—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Senate Bill No. 1 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 2: By Senator Kenny—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or

destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 2 read first time, and referred to Committee on Finance, Revenue and Taxation.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 14, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 1—Relative to memorializing Congress to enact the necessary legislation to purge the United States of Communism and all of the subversive influences and front organization which are instigated, encouraged and fostered by it;

Has had the same under consideration, and respectfully reports the same back, and recommends that the bill be re-referred to Committee on Governmental Efficiency.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Bill ordered re-referred to Committee on Governmental Efficiency.

Recess.

At eleven o'clock and eight minutes a.m., on motion of Senator Seawell, the President of the Senate declared recess until one o'clock and thirty minutes p.m.

Reconvened.

At one o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Senators Quinn, Garrison, Slater, Gordon, Powers, Hollister, Foley and Collier:

SENATE CHAMBER, SACRAMENTO, May 14, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, we request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATORS QUINN,
GARRISON,
HOLLISTER,
SLATER,
FOLEY,
POWERS,
COLLIER,
GORDON.

Request referred to Committee on Rules.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 11, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Quinn and others for permission to introduce a bill:

An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately; Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bill was introduced:

Senate Bill No. 3: By Senators Quinn, Garrison, Slater, Gordon, Powers, Hollister, Collier and Foley—An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 3 read first time, and referred to Committee on Finance, Revenue and Taxation.

Adjournment.

At one o'clock and fifty-five minutes p.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned until ten o'clock a.m., Wednesday, May 15, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Wednesday, May 15, 1940.

The Senate met at ten o'clock a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.
Secretary Joseph A. Beek at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Brown, Collier, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Jespersen, Kenny, Mayo, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Seawell, Shelley, Slater, Swing, Tickle, and Wag—27.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Tuesday, May 14, 1940, the further reading was dispensed with, on motion of Senator Swing.

Leaves of Absence.

Senator Biggar was, on motion of Senator Gordon, granted leave of absence for this day.

Senator Holohan was, on motion of Senator Tickle, granted leave of absence for this day.

Privilege of Floor of Senate Extended.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. Frank Ferguson of Modesto.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Senator Metzger:

SENATE CHAMBER, SACRAMENTO, May 14, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Glenn, Colusa, and Tehama counties, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR METZGER.

Request referred to Committee on Rules.

By Senator Swing:

SENATE CHAMBER, SACRAMENTO, May 14, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR SWING.

Request referred to Committee on Rules.

By Senators Garrison, Shelley, Powers and Hollister:

SENATE CHAMBER, SACRAMENTO, May 15, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, we request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATORS GARRISON,
HOLLISTER,
POWERS,
SHELLEY.

Request referred to Committee on Rules.

COMMITTEE OF THE WHOLE.

Senator Phillips moved that the Senate resolve itself into a Committee of the Whole.

Motion carried.

Senate Meets as Committee of the Whole.

At ten o'clock and fifteen minutes a.m., the Senate met as a Committee of the Whole.

Committee of the Whole Arises.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Phillips, the Committee of the Whole arose.

IN SENATE.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

Reports of Standing Committee.

The following reports of standing committee were received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 15, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following requests for permission to introduce bills:

By Senator Swing:

An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately;

and

By Senator Metzger:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Glenn, Colusa, and Tehama counties, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bills introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 15, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Garrison and others for permission to introduce a bill:

An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bills were introduced:

Senate Bill No. 4: By Senator Metzger—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Glenn, Colusa, and Tehama counties, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 4 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 5: By Senator Swing—An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction,

declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 5 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 6: By Senators Garrison, Shelley, Powers and Hollister—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 6 read first time, and referred to Committee on Finance, Revenue and Taxation.

Adjournment.

At eleven o'clock and forty-five minutes a.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned until ten o'clock a.m., Thursday, May 16, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Thursday, May 16, 1940.

The Senate met at ten o'clock a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Breed, Brown, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Jespersen, Keating, Kenny, Mayo, McCormack, Metzger, Mixer, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—28.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Wednesday, May 15, 1940, the further reading was dispensed with, on motion of Senator Slater.

Leaves of Absence.

Senator Biggar was, on motion of Senator Gordon, granted leave of absence for this day.

Senator Holohan was, on motion of Senator Brown, granted leave of absence for this day.

Senator Myhand was, on motion of Senator Parkman, granted leave of absence for this day.

Senator Shelley was, on motion of Senator Foley, granted leave of absence for this day.

Senator Collier was, on motion of Senator Powers, granted leave of absence for this day.

Privilege of Floor of Senate Extended.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. E. D. Snow of Eagle Rock, and Mr. and Mrs. Waldomar Hamm of San Francisco.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for this day was unanimously extended to R. L. Kimmel of Modesto.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Adolfo Camarillo and Ernest Jones, both of Camarillo, and Jack C. Miller of Port Hueneme.

On request of Senator Parkman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. Earle Hoskens of Millbrae.

Senate Resolution No. 11.

The following resolution was offered:

By Senator Tickle:

WHEREAS, The Senate at the fifty-third (second extraordinary) session on May 13, 1940, adopted Senate Resolutions Nos. 2 and 9, appointing officers and employees of the Senate and setting forth their compensation; and

WHEREAS, There are at this time two extraordinary sessions being conducted simultaneously; and

WHEREAS, This condition presents a new and unprecedented situation in the annals of the State with which fiscal officers have not heretofore been confronted and upon which they desire the position of the Senate to be plainly set forth; now, therefore, be it

Resolved, That in appointing such officers and employees it was not the intention of the Senate that any individual so appointed should receive two days' pay for one day's service but that each individual should be compensated for the days of service actually rendered and that such services should be paid for from the constitutional allowance of one hundred dollars per day for each house of the Legislature at any special session thereof.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 11 adopted by the following vote:

AYES—Senators Breed, Brown, Cunningham, DeLap, Denel, Fletcher, Foley, Gordon, Hays, Hollister, Jespersen, Mayo, McCormack, Metzger, Mixer, Parkman, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—24.

NOES—None.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Senator Gordon:

SENATE CHAMBER, SACRAMENTO, May 16, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act creating the State of California Napa Water Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Public Works in relation thereto; authorizing the construction and operation of systems for the impounding, sale and distribution of water, including the

impounding of surplus and flood waters; providing for the issuance and sale of revenue bonds; and making funds available for the purposes of this act.

Respectfully submitted.

SENATOR GORDON.

Request referred to Committee on Rules.

By Senator Crittenden:

SENATE CHAMBER, SACRAMENTO, May 14, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to offer a joint resolution, the title of which is set forth below:

Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California.

Respectfully submitted.

SENATOR CRITTENDEN.

Request referred to Committee on Rules.

By Senators Phillips, Brown, Deuel, Mayo, Mixter, Nielsen, Seawell, and Waggy, at the request of the Joint Legislative Fact-Finding Committee on Employment:

SENATE CHAMBER, SACRAMENTO, May 16, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, we request permission to offer a concurrent resolution, the title of which is set forth below:

Calling upon the Governor to permit well considered, comprehensive legislation upon the subject of relief of hardship and destitution, whether due to and caused by unemployment or by other causes.

Respectfully submitted.

SENATOR PHILLIPS AND OTHERS.

Request referred to Committee on Rules.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, May 16, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency to which was referred:

Assembly Joint Resolution No. 1—Relative to memorializing Congress to enact the necessary legislation to purge the United States of Communism and all of the subversive influences and front organization which are instigated, encouraged and fostered by it;

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes—9; absent—2.

HAYS, Chairman.

On Rules.

SENATE CHAMBER, SACRAMENTO, May 16, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Gordon for permission to introduce a bill:

An act creating the State of California Napa Water Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Public Works in relation thereto; authorizing the construction and operation of systems for the impounding, sale and distribution of water, including the impounding of surplus and flood waters; providing for the issuance and sale of revenue bonds; and making funds available for the purposes of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 15, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Crittenden for permission to introduce a Joint Resolution:

Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California;
Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Governmental Efficiency.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 16, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Phillips and others for permission to offer a Concurrent Resolution:

Calling upon the Governor to permit well considered, comprehensive legislation upon the subject of relief of hardship and destitution, whether due to and caused by unemployment or by other causes;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the Concurrent Resolution offered and placed on file for immediate consideration.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bills were introduced:

Senate Bill No. 7: By Senator Gordon—An act creating the State of California Napa Water Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Public Works in relation thereto; authorizing the construction and operation of systems for the impounding, sale and distribution of water, including the impounding of surplus and flood waters; providing for the issuance and sale of revenue bonds; and making funds available for the purposes of this act.

Senate Bill No. 7 read first time and referred to Committee on Finance, Revenue and Taxation.

Senate Concurrent Resolution No. 1: By Senators Phillips, Brown, Deuel, Mayo, Mixer, Nielsen, Seawell, and Waggy, at the request of the Joint Legislative Fact-Finding Committee on Employment—Relative to calling upon the Governor to permit well considered, comprehensive legislation upon the subject of relief of hardship and destitution, whether due to and caused by unemployment or by other causes.

Senate Joint Resolution No. 1: By Senator Crittenden—Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California.

Senate Joint Resolution No. 1 read, and referred to Committee on Governmental Efficiency.

Consideration of Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 1.

Relative to calling upon the Governor to permit well considered, comprehensive legislation upon the subject of the relief of hardship and destitution, whether due to and caused by unemployment or by other causes.

WHEREAS, The Legislature at its extraordinary session in 1940, by Concurrent Resolution, created a Joint Legislative Fact-Finding Committee on Employment, consisting of members of both houses; and

WHEREAS, Said Joint Legislative Fact-Finding Committee on Employment has held hearings in every part of the State of California, and has gone into all phases of the unemployment relief problems in California; and

WHEREAS, This committee is now ready and is filing its report to the Legislature containing its recommendations; and

WHEREAS, This committee has recommended among other things the enactment of a permanent plan for the administration and financing of all public assistance, including the basic principles of complete integration of all welfare and relief activities into one consolidated program; and

WHEREAS, The findings of said committee strongly indicate that the adoption of the aforementioned plan will bring about a more efficient administration of relief in California, to the end that the needy will receive the maximum benefits at minimum costs to the taxpayers; and

WHEREAS, The proclamation of the Governor convening this extraordinary session of the Legislature is so restricted as to preclude any such legislation at this time; and

WHEREAS, The members of the Senate and Assembly have before them facts which have never been available before, which the members believe are of sufficient importance to warrant complete consideration by all members of the Legislature; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring. That the Honorable Culbert L. Olson, Governor of California, is hereby respectfully and specifically requested immediately to issue a proclamation specifying therein the subjects of legislation in such manner that the Legislature and the Governor of California will clearly have power and jurisdiction forthwith to consider and act upon, and enact into law, legislation for the relief of hardship and destitution whether resulting from unemployment or from any other causes; and be it further

Resolved, That the Secretary of the Senate is hereby directed forthwith to deliver a copy of this resolution to the Governor of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Breed, Brown, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Gordon, Hays, Kenting, Mayo, McBride, McCormack, Mixter, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—26.

NOES—Senators Garrison, Hollister, Jespersen, and Kenny—4.

Senate Concurrent Resolution No. 1 ordered transmitted to the Assembly.

Communication.

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, CALIFORNIA, May 15, 1940.

*Senator Irwin T. Quinn,
Senate Chambers, State Capitol,
Sacramento, California.*

*Subject: Senate Bill 3, appropriation for storm and flood repair.
Request: No. 7995.*

DEAR SENATOR QUINN: You have asked us, first, whether the above bill is within the scope of proclamation convening the second extraordinary session of the fifty-third Legislature; and, second, whether it may be amended in such fashion as to require certain portions of the appropriation to be spent in particular counties.

As to the first question, it appears to us that Senate Bill No. 3 of the second extraordinary session is clearly within item 2 of the proclamation convening that session.

As to the second question, amendments to the bill which provided affirmatively that specified amounts would have to be spent in particular counties, would probably result in a violation of that part of section 34 of Article IV of the Constitution which provides that no bill making an appropriation of money, except the Budget Bill, shall contain more than one item of appropriation.

It might be possible, however, to accomplish such a result from a negative approach. That is, the bill might be amended to provide that the appropriation

could be expended only in specified counties and not elsewhere. It might be further amended to provide that not to exceed specified amounts should be expended in any particular county. The net result would be that while the bill would not affirmatively require expenditure in any particular county, it would prevent expenditure except in the manner specified.

Trusting that the foregoing sufficiently answers your inquiry, we are

Very truly yours,

FRED B. WOOD, Legislative Counsel.
By LAWRENCE G. ALLYN, Deputy.

LGA :fm.

Adjournment.

At twelve o'clock and two minutes p.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned, until ten o'clock a.m., Friday, May 17, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
FRIDAY, May 17, 1940.

The Senate met at ten o'clock a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Roll Call.

The roll was called.

Call of the Senate.

Senator Seawell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Breed, Collier, Cunningham, Fletcher, Foley, Gordon, Kenny, Mayo, McBride, McCormack, Metzger, Myhand, Phillips, Powers, Rich, Seawell, Slater, Swing, Tickle, and Wagy—20.

The Secretary announced the absentees.

Time, ten o'clock and five minutes a.m.

The President of the Senate directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

Further Proceedings Under Call of the Senate Dispensed With.

At ten o'clock and ten minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Seawell.

The names of the absentees were called, and the following answered to their names:

Senators Breed, Collier, Cunningham, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Kenny, Mayo, McBride, McCormack, Metzger, Myhand, Phillips, Powers, Rich, Seawell, Slater, Swing, Tickle, and Wagy—23.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Thursday, May 16, 1940, the further reading was dispensed with, on motion of Senator Slater.

Leaves of Absence.

Senator Biggar was, on motion of Senator Gordon, granted leave of absence for this day.

Senator Holohan was, on motion of Senator Gordon, granted leave of absence for this day.

Senator DeLap was, on motion of Senator Metzger, granted leave of absence for this day.

Senator Shelley was, on motion of Senator Foley, granted leave of absence for this day.

Senator Hollister was, on motion of Senator Slater, granted leave of absence for this day.

Privilege of Floor of Senate Extended.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hugh M. Shaver of Escondido.

Senate Resolution No. 12.

The following resolution was offered:

By Senators Deuel, Tickle and Nielsen:

WHEREAS, Room S on the Fourth Floor has been vacated; and

WHEREAS, Said Room S is necessary for the benefit and convenience of members of the Senate; now, therefore, be it

Resolved, That the Senate does hereby request and instruct Mr. Frank N. Killam, Chief of Bureau of Buildings and Grounds, to partition said Room S into office space according to plans submitted; and be it further

Resolved, That work proceed promptly that said offices be ready for occupancy at the next session of the Legislature.

Resolution read, and on motion of Senator Deuel adopted.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 1—Relative to calling upon the Governor to permit well considered, comprehensive legislation upon the subject of the relief of hardship and destitution, whether due to and caused by unemployment or by other causes.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 1 ordered to enrollment.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Senator Collier:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce two bills, the titles of which are set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Siskiyou County, declaring the urgency thereof, and providing that this act shall take effect immediately;

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Del Norte County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR COLLIER.

Request referred to Committee on Rules.

By Senator Gordon:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce three bills, the titles of which are set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Napa and Yolo counties, declaring the urgency thereof, and providing that this act shall take effect immediately;

An act to provide for the transference to the State of California Napa Water Authority of the unexpended and unencumbered funds in the State treasury appropriated by Chapter 760 of the Statutes of 1937 and Chapter 678 of the Statutes of 1939;

An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

Respectfully submitted.

SENATOR GORDON.

Request referred to Committee on Rules.

By Senator McCormack:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Solano County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR McCORMACK.

Request referred to Committee on Rules.

By Senator Crittenden:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in San Joaquin County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR CRITTENDEN.

Request referred to Committee on Rules.

By Senator Slater:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Sonoma County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR SLATER.

Request referred to Committee on Rules.

By Senator Garrison:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Stanislaus County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR GARRISON.

Request referred to Committee on Rules.

By Senator Quinn:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Humboldt County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR QUINN.

Request referred to Committee on Rules.

By Senator Cunningham:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Kings County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR CUNNINGHAM.

Request referred to Committee on Rules.

By Senator Powers:

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Modoc, Lassen and Plumas counties, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR POWERS.

Request referred to Committee on Rules.

Reports of Standing Committee.

The following reports of standing committee were received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules to which was referred the following requests by Senator Collier for permission to introduce two bills:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Siskiyou County, declaring the urgency thereof, and providing that this act shall take effect immediately;

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Del Norte County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bills introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules to which was referred the following requests by Senator Gordon for permission to introduce three bills:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Napa and Yolo counties, declaring the urgency thereof, and providing that this act shall take effect immediately;

An act to provide for the transference to the State of California Napa Water Authority of the unexpended and unencumbered funds in the State treasury appropriated by Chapter 760 of the Statutes of 1937 and Chapter 678 of the Statutes of 1939;

An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bills introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator McCormack for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Solano County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Crittenden for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged by storms and floods and to avert,

alleviate and prevent such damage and destruction in San Joaquin County, declaring the urgency thereof, and providing that this act shall take effect immediately; Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Slater for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Sonoma County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Garrison for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Stanislaus County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Quinn for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Humboldt County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Cunningham for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Kings County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Powers for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Modoc, Lassen and Plumas counties, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bills were introduced:

Senate Bill No. 8: By Senator Collier—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Siskiyou County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 8 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 9: By Senator Collier—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Del Norte County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 9 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 10: By Senator Gordon—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Napa and Yolo counties, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 10 read first time and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 11: By Senator Gordon—An act to provide for the transference to the State of California Napa Water Authority of the unexpended and unencumbered funds in the State Treasury appropriated by Chapter 760 of the Statutes of 1937 and Chapter 678 of the Statutes of 1939.

Senate Bill No. 11 read first time and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 12: By Senator Gordon—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

Senate Bill No. 12 read first time and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 13: By Senator McCormack—An act making an appropriation to the Department of Public Works for the cost of

repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Solano County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 13 read first time and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 14: By Senator Crittenden—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in San Joaquin County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 14 read first time and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 15: By Senator Slater—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Sonoma County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 15 read first time and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 16: By Senator Garrison—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Stanislaus County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 16 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 17: By Senator Quinn—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Humboldt County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 17 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 18: By Senator Cunningham—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in

Kings County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 18 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 19: By Senator Powers—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Modoc, Lassen and Plumas counties, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 19 read first time, and referred to Committee on Finance, Revenue and Taxation.

Adjournment.

At eleven o'clock a.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned until ten o'clock and thirty minutes a.m., Monday, May 20, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Monday, May 20, 1940

The Senate met at ten o'clock and thirty minutes a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Foley, Garrison, Gordon, Hays, Hollister, Jespersen, Keating, Kenny, McBride, McCormack, Mixer, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, and Wagy—26

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Friday, May 17, 1940, the further reading was dispensed with, on motion of Senator Slater.

Leaves of Absence.

Senator Metzger was, on motion of Senator Powers, granted leave of absence for this day.

Senator Holohan was, on motion of Senator Powers, granted leave of absence for this day.

Senator Fletcher was, on motion of Senator Mixer, granted leave of absence for this day.

Senator Shelley was, on motion of Senator Foley, granted leave of absence for this day.

Privilege of Floor of Senate Extended.

On request of Senator Garrison, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Emmett K. Olson and wife of Price, Utah; Mrs. George M. Hanson of Sacramento.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Senator Rich:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the counties of Yuba and Sutter, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted.

SENATOR RICH.

Request referred to Committee on Rules.

Reports of Standing Committee.

The following reports of standing committee were received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Rich for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the counties of Yuba and Sutter, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 1—Relative to calling upon the Governor to permit well considered, comprehensive legislation upon the subject of the relief of hardship and destitution, whether due to and caused by unemployment or by other causes;

And reports that the same has been correctly enrolled and presented to the Governor on the seventeenth day of May, 1940, at two o'clock p.m.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bill was introduced:

Senate Bill No. 20: By Senator Rich—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the counties of Yuba and Sutter, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 20 read first time and referred to Committee on Finance, Revenue and Taxation.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 3—Relative to the "I Am An American panegyric."

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 3 ordered referred to Committee on Rules.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Senator Biggar:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce two bills, the titles of which are set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the County of Mendocino, declaring the urgency thereof, and providing that this act shall take effect immediately;

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the County of Lake, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR BIGGAR.

Request referred to Committee on Rules.

By Senator Keating:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the County of Marin, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR KEATING.

Request referred to Committee on Rules.

By Senator Parkman:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods

and to avert, alleviate and prevent such damage and destruction in San Mateo County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR PARKMAN.

Request referred to Committee on Rules.

By Senator McBride:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Ventura, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR McBRIDE.

Request referred to Committee on Rules.

By Senator Mayo:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Calaveras, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR MAYO.

Request referred to Committee on Rules.

By Senator Foley:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Santa Clara, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR FOLEY.

Request referred to Committee on Rules.

By Senator Quinn:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Trinity County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR QUINN.

Request referred to Committee on Rules.

By Senator Myhand:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce two bills, the titles of which are set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Madera, declaring the urgency thereof, and providing that this act shall take effect immediately.

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Merced, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR MYHAND.

Request referred to Committee on Rules.

By Senator Deuel:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Butte, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR DEUEL.

Request referred to Committee on Rules.

Reports of Standing Committee.

The following reports of standing committee were received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Biggar for permission to introduce two bills:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Mendocino, declaring the urgency thereof, and providing that this act shall take effect immediately;

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Lake, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bills introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Keating for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of

Marin, declaring the urgency thereof, and providing that this act shall take effect immediately ;
Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5 ; committee vote : Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Parkman for permission to introduce a bill :

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in San Mateo county, declaring the urgency thereof, and providing that this act shall take effect immediately ;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5 ; committee vote : Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator McBride for permission to introduce a bill :

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Ventura, declaring the urgency thereof, and providing that this act shall take effect immediately ;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5 ; committee vote : Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Mayo for permission to introduce a bill :

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Calaveras, declaring the urgency thereof, and providing that this act shall take effect immediately ;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5 ; committee vote : Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Foley for permission to introduce a bill :

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Santa Clara, declaring the urgency thereof, and providing that this act shall take effect immediately ;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5 ; committee vote : Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Quinn for permission to introduce a bill :

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and

to avert, alleviate and prevent such damage and destruction in Trinity County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Myhand for permission to introduce two bills:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Madera, declaring the urgency thereof, and providing that this act shall take effect immediately;

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Merced, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bills introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Deuel for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Butte, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 3—Relative to the "I am an American panegyric";

Has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Governmental Efficiency.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Assembly Concurrent Resolution No. 3 read, and referred to Committee on Governmental Efficiency.

Introduction, First Reading and Reference of Bills.

The following bills were introduced:

Senate Bill No. 21: By Senator Biggar—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Mendocino, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 21 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 22: By Senator Biggar—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Lake, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 22 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 23: By Senator Keating—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Marin, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 23 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 24: By Senator Parkman—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in San Mateo County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 24 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 25: By Senator McBride—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Ventura, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 25 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 26: By Senator Mayo—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Calaveras, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 26 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 27: By Senator Foley—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods

and to avert, alleviate and prevent such damage and destruction in the county of Santa Clara, declaring the urgency thereof and providing that this act shall take effect immediately.

Senate Bill No. 27 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 28: By Senator Quinn—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Trinity County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 28 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 29: By Senator Myhand—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Madera, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 29 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 30: By Senator Myhand—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Merced, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 30 read first time, and referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 31: By Senator Denel—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Butte, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 31 read first time, and referred to Committee on Finance, Revenue and Taxation.

Approval of Journals.

The Senate Journals for the fifty-third (second extraordinary) session of Monday, May 13, 1940; Tuesday, May 14, 1940; Wednesday, May 15, 1940; Thursday, May 16, 1940; Friday, May 17, 1940; were on motion of Senator Seawell approved as corrected by the Journal Clerk and the Minute Clerk.

Adjournment.

At eleven o'clock and thirty minutes a.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned, until ten o'clock and thirty minutes a.m., Tuesday, May 21, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Tuesday, May 21, 1940.

The Senate met at ten o'clock and thirty minutes a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Holohan, Jespersen, Keating, Kenny, Mayo, McBride, Metzger, Mixer, Myhand, Parkman, Phillips, Rich, Seawell, Slater, Swing, Tickle, and Wagy--31.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Monday, May 20, 1940, the further reading was dispensed with, on motion of Senator Slater.

Privilege of Floor of Senate Extended.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to General and Senora A. Roderguiz of Ensenada, Baja California; Mrs. Catherine Fletcher Taylor, and Mrs. Virginia English Fletcher, both of San Diego.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 4—Relative to the completion of a year by the air lines of this country without a major accident.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 4 ordered referred to Committee on Rules.

Reports of Standing Committee.

The following reports of standing committee were received and read:

On Finance, Revenue and Taxation.

SENATE CHAMBER, SACRAMENTO, May 21, 1940.

MR. PRESIDENT: Your Committee on Finance, Revenue and Taxation, to which was referred:

Senate Bill No. 7—An act creating the State of California Napa Water Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Public Works in relation thereto; authorizing the construction and operation of systems for the impounding, sale and distribution of water, including the impounding of surplus and flood waters; providing for the issuance and sale of revenue bonds; and making funds available for the purposes of this act;

Senate Bill No. 8—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Siskiyou County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 9—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Del Norte County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 13—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Solano County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bills be re-referred to this committee.

Committee membership—11, committee vote: Ayes—11.

TICKLE, Chairman.

SENATE CHAMBER, SACRAMENTO, May 21, 1940.

MR. PRESIDENT: Your Committee on Finance, Revenue and Taxation, to which was referred:

Senate Bill No. 15—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Sonoma County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 16—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Stanislaus County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 17—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Humboldt County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 19—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Modoc, Lassen and Plumas counties, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bills be re-referred to this committee.

Committee membership—11, committee vote: Ayes—11.

TICKLE, Chairman.

Second Reading of Senate Bills (Out of Order).

Senate Bill No. 7—An act creating the State of California Napa Water Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Public Works in relation thereto; authorizing the construction and operation of systems for the impounding, sale and distribution of water, including

the impounding of surplus and flood waters; providing for the issuance and sale of revenue bonds; and making funds available for the purposes of this act.

Consideration of Committee Amendments.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendments to Senate Bill No. 7 were read and adopted:

Amendment No. 1.

On page 1, line 16, of the printed bill, preceding the semicolon, add the following: "in Napa County and for the sale and distribution of water outside the territorial boundaries of Napa County when all applications for the consumption of water in Napa County have been accepted and completely satisfied".

Amendment No. 2.

On page 2, line 24, of the printed bill, strike out "Veterans", and insert in lieu thereof the following: "Veterans'".

Amendment No. 2.5.

On page 4, line 3, of the printed bill, strike out "surplus".

Amendment No. 3.

On page 4, line 4, of the printed bill, preceding the comma, insert the following: "when such water is not required in Napa County".

Amendment No. 4.

On page 4, line 46, of the printed bill, strike out "Valley".

Amendment No. 5.

On page 6, line 33, of the printed bill, strike out "firm or corporation,".

Amendment No. 6.

On page 11, line 32, of the printed bill, preceding the period, insert the following: "as is provided for in the indenture".

Amendment No. 7.

On page 13, line 13, of the printed bill, strike out "with approval", and insert in lieu thereof the following: "with the approval of".

Amendment No. 8.

On page 16, line 38, of the printed bill, after the period, add the following: "Primary or surplus water may not be sold or distributed outside of the territorial boundaries of Napa County until all applications for the consumption of water in Napa County have been accepted and completely satisfied."

Amendment No. 9.

On page 18, line 21, of the printed bill, strike out "280", and insert in lieu thereof the following: "380".

Amendment No. 10.

On page 18, line 25, of the printed bill, strike out "281", and insert in lieu thereof the following: "381".

Amendment No. 11.

On page 18, line 33, of the printed bill, strike out "282", and insert in lieu thereof the following: "382".

Amendment No. 12.

On page 18, line 42, of the printed bill, strike out "283", and insert in lieu thereof the following: "383".

Amendment No. 13.

On page 18, line 51, of the printed bill, strike out "284", and insert in lieu thereof the following: "384".

Amendment No. 14.

On page 19, line 9, of the printed bill, strike out "285", and insert in lieu thereof the following: "385".

Amendment No. 15.

On page 19, line 15, of the printed bill, strike out "286", and insert in lieu thereof the following: "386".

Amendment No. 16.

On page 19, line 18, of the printed bill, strike out "288", and insert in lieu thereof the following: "388".

Amendment No. 17.

On page 19, line 21, of the printed bill, strike out "289", and insert in lieu thereof the following: "389".

Amendment No. 18.

On page 19, line 29, of the printed bill, strike out "290", and insert in lieu thereof the following: "390".

Amendment No. 19.

On page 19, line 37, of the printed bill, strike out "291", and insert in lieu thereof the following: "391".

Amendment No. 20.

On page 19, line 49, of the printed bill, strike out "292", and insert in lieu thereof the following: "392".

Amendment No. 21.

On page 20, line 3, of the printed bill, strike out "293", and insert in lieu thereof the following: "393".

Amendment No. 22.

On page 20, line 19, of the printed bill, strike out "294", and insert in lieu thereof the following: "394".

Amendment No. 23.

On page 20, line 24, of the printed bill, strike out "295", and insert in lieu thereof the following: "395".

Amendment No. 24.

On page 20, line 31, of the printed bill, strike out "296", and insert in lieu thereof the following: "396".

Amendment No. 25.

On page 20, line 36, of the printed bill, strike out "297", and insert in lieu thereof the following: "397".

Amendment No. 26.

On page 20, line 43, of the printed bill, strike out "298", and insert in lieu thereof the following: "398".

Bill read second time, ordered to reprint, and re-referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 8—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Siskiyou County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Committee Amendment.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendment to Senate Bill No. 8 was read and adopted:

Amendment No. 1.

On page 1 of the printed bill, strike out line 20.

Bill read second time, ordered to reprint, and re-referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 9—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Del Norte County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Committee Amendment.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendment to Senate Bill No. 9 was read and adopted:

Amendment No. 1.

On page 1 of the printed bill, strike out line 20.

Bill read second time, ordered to reprint, and re-referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 13—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Solano County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Committee Amendment.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendment to Senate Bill No. 13 was read and adopted:

Amendment No. 1.

On page 1 of the printed bill, strike out line 20.

Bill read second time, ordered to reprint, and re-referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 15—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Sonoma County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Committee Amendment.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendment to Senate Bill No. 15 was read and adopted:

Amendment No. 1.

On page 1 of the printed bill, strike out line 20.

Bill read second time, ordered to reprint, and re-referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 16—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Stanislaus County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Committee Amendments.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendments to Senate Bill No. 16 were read and adopted:

Amendment No. 1.

On page 1 of the printed bill, strike out line 20.

Amendment No. 2.

On page 1, lines 2 and 3, of the printed bill, strike out "twenty-one thousand five hundred", and insert in lieu thereof the following: "twenty-two thousand one hundred".

Bill read second time, ordered to reprint, and re-referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 17—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and

prevent such damage and destruction in Humboldt County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Committee Amendment.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendment to Senate Bill No. 17 was read and adopted:

Amendment No. 1.

On page 1 of the printed bill, strike out line 20.

Bill read second time, ordered to reprint, and re-referred to Committee on Finance, Revenue and Taxation.

Senate Bill No. 19—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Modoc, Lassen and Plumas counties, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Committee Amendment.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendment to Senate Bill No. 19 was read and adopted:

Amendment No. 1.

On page 1 of the printed bill, strike out line 20.

Bill read second time, ordered to reprint, and re-referred to Committee on Finance, Revenue and Taxation.

President Pro Tempore in the Chair.

At ten o'clock and forty minutes a.m., Hon. Jerrold L. Seawell, President Pro Tempore of the Senate, in the chair.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Senator Collier:

SENATE CHAMBER, SACRAMENTO, May 20, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Shasta County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Respectfully submitted,

SENATOR COLLIER.

Request referred to Committee on Rules.

Consideration of Daily File.

Third Reading of Assembly Bills.

Assembly Joint Resolution No. 1—Relative to memorializing Congress to enact the necessary legislation to purge the United States of Communism and all of the subversive influences and front organization which are instigated, encouraged and fostered by it.

Amendment from the Floor.

During the reading of Assembly Joint Resolution No. 1, the following amendment, offered by Senators Shelley and Kenny, was read:

Amendment No. 1.

On page 2, line 32, of the printed resolution, following the word "further", insert a new paragraph reading as follows:

"Resolved, That the Congress of the United States is further respectfully urged that in the enactment of such legislation it protect the constitutional guarantees of freedom of speech, press, conscience, and religion; and be it further".

Motion to Table.

Senator Myhand moved that the above amendment be laid on the table.

Ayes and Noes Demanded.

A roll call was demanded by Senators Kenny, Shelley and Foley on the adoption of the amendment.

The roll was called and the amendment laid on the table by the following vote:

AYES—Senators Biggar, Breed, Crittenden, Cunningham, DeLap, Denel, Fletcher, Gordon, Hays, Hollister, Holohan, Jespersen, Kenting, Mayo, McBride, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—29.

NOES—Senators Foley, Garrison, Kenny, and Shelley—4.

Further Consideration of Assembly Joint Resolution No. 1.**Assembly Joint Resolution No. 1.**

Relative to memorializing Congress to enact the necessary legislation to purge the United States of Communism and all of the subversive influences and front organization which are instigated, encouraged and fostered by it.

WHEREAS, Lenin, in his book entitled "State and Revolution," declares that "Democracy is a form of the state—one of its varieties" and

Engles in his book entitled "Internationales aux des Volkstaad," declares that "The party (the Communist party) whose economic programme is not merely Socialist in general but directly Communistic, and whose ultimate political aim is to overcome the whole State and therefore Democracy as well;"

and The program of the Communist International states:

"The conquest of power by the Proletariat is the violent overthrow of bourgeois power, the destruction of the capitalist state apparatus (bourgeois army, police, bureaucratic hierarchy, the judiciary, parliament, etc.) and substituting in its place new organs of proletarian power. * * *"

and WHEREAS, The Communist party of the United States, although affiliated with the International, has adopted the Trojan horse policy suggested by Georgi Dimitrov in a report to the International in August, 1935, and has deleted all references to violence and conquest in its new constitution in order to deceive the American people; and

This policy is declared to be the realization in practice of Dimitrov's instructions to learn as quickly as possible how to sail on the turbulent waters of class struggle; and

The Communist party is seeking to accomplish its objective in the United States by breeding disrespect for American democracy and all that it represents, and by sabotaging American labor and industry; and

It is undeniably true that the ultimate aim of subversive elements as exemplified in the United States by the Communist and Nazi groups, is to destroy democracy and establish a totalitarian state; and

The Communist and Nazi groups are attempting to discredit the President's peace and preparedness program in order to involve the United States in the present European war on the side of the dictator partnership of Hitler and Stalin; and

The United States may eventually be the victim of a blitzkrieg by Stalinism and Hitlerism; and

WHEREAS, These termites are prepared to constitute the "Fifth Column" for Hitler and Stalin in the event of a blitzkrieg by these monsters,

WHEREAS, Communism and Nazism constitute the greatest threats to democracy, civil liberties, human freedom and the welfare of the United States; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States is hereby respectfully urged to study means and

methods of completely and effectively stamping out the traitorous Communist party and Nazi groups in the United States and all other subversive organizations and to enact such legislation in connection therewith as is necessary or desirable; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby respectfully requested to send copies of this resolution to the President of the United States, to the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and member of the House of Representatives from California in the Congress of the United States, which Senators and Representatives are hereby respectfully urged to support such legislation, and to the Attorney General of the United States, to William Green and to John L. Lewis.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Holohan, Jespersen, Keating, Kenny, Mayo, McBride, Metzger, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—34.

NOES—None.

Assembly Joint Resolution No. 1 ordered transmitted to the Assembly.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 21, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Collier for permission to introduce a bill:

An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Shasta County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bill was introduced:

Senate Bill No. 32: By Senator Collier—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Shasta County, declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 32 read first time, and referred to Committee on Finance, Revenue and Taxation.

Adjournment.

On motion of Senator Kenny, at ten o'clock and fifty-five minutes a.m., the President Pro Tempore of the Senate declared the Senate adjourned out of respect to the memory of the late Assemblyman Fred Reaves of San Pedro until ten o'clock and thirty minutes a.m., Wednesday, May 22, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Wednesday, May 22, 1940.

The Senate met at ten o'clock and thirty minutes a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Brown, Collier, Crittenden, Cunningham, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Holohan, Jespersen, Kenny, Mayo, McBride, McCormack, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—31.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Tuesday, May 21, 1940, the further reading was dispensed with, on motion of Senator Gordon.

Leave of Absence.

Senator Keating was, on motion of Senator Powers, granted leave of absence for this day.

Privilege of Floor of Senate Extended.

On request of Senator Phillips, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph Seymour of Riverside, Mayor Chas. Dewese, Frank L. Miller, and Rev. Paul Lomax, all of Banning.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 21, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred:
Assembly Concurrent Resolution No. 4—Relative to the completion of a year by the air lines of this country without a major accident;
Has had the same under consideration, and respectfully reports the same back, and recommends that the bill be referred to Committee on Governmental Efficiency.
Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Assembly Concurrent Resolution No. 4 read, and referred to Committee on Governmental Efficiency.

Adjournment.

At ten o'clock and forty minutes a.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned, until ten o'clock and thirty minutes a.m., Thursday, May 23, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Thursday, May 23, 1940.

The Senate met at ten o'clock and thirty minutes a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hollister, Holohan, Jespersen, Keating, Kenny, Mayo, McBride, Mixer, Myhand, Nielsen, Parkman, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Waggy—30.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Wednesday, May 22, 1940, the further reading was dispensed with, on motion of Senator Slater.

Leave of Absence.

Senator Metzger was, on motion of Senator DeLap, granted leave of absence for this day.

Privilege of Floor of Senate Extended.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. Y. Prebbe and B. M. Graham, members of board of supervisors of Imperial County.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Joint Resolution No. 2—Relative to memorializing the President and Congress to increase the land defenses of the United States;

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately;

Assembly Concurrent Resolution No. 1—Relative to the sponsorship of a WPA project to abate a dangerous nuisance.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

The above reported bills ordered referred to Committee on Rules.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, May 22, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Joint Resolution No. 1—Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California; Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes—8; absent—3.

HAYS, Chairman.

On Finance, Revenue and Taxation.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Finance, Revenue and Taxation, to which was referred:

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—11.

TICKLE, Chairman.

On Rules.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 2—Relative to memorializing the President and Congress to increase the land defenses of the United States;

Has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Governmental Efficiency.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Assembly Joint Resolution No. 2 read, and referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately; Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Assembly Bills Nos. 1 and 2 read first time, and referred to Committee on Finance, Revenue and Taxation.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 1—Relating to the sponsorship of a WPA project to improve the Dorchester Ditch;

Has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Governmental Efficiency.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Assembly Concurrent Resolution No. 1 read first time, and referred to Committee on Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Joint Resolution No. 1—Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California; And reports that the same has been correctly engrossed.

SEAWELL, Chairman.

Second Reading of Senate Bills (Out of Order).

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

Consideration of Committee Amendment.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendment to Senate Bill No. 10 was read and adopted:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 7 and 8, inclusive, and insert in lieu thereof the following: "furnishing of water to the State institutions located in Napa Valley and for the furnishing of any surplus over the amount required by such institutions to persons residing in such valley other than inmates and employees of such institutions. The Department of".

Bill read second time, ordered to print, engrossment, and on file for third reading.

Consideration of Senate Joint Resolution No. 1.

Senate Joint Resolution No. 1.

Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California.

WHEREAS, One of the major problems of the State of California is the solving of the problems of flood control; and

WHEREAS, The devastating floods of 1938 as well as the great damage caused by floods during the season of 1940 has clearly demonstrated how vulnerable the cities and valleys are to floods caused by periodical storms, and the run-off from snows in the high mountain areas during the spring months; and

WHEREAS, It is understood that preliminary reports have been prepared by the United States Army Engineers determining some of the vitally needed flood control projects within the State of California; and

WHEREAS, It is further believed that final reports thereon will be submitted to the proper Federal agencies in the near future, and that said reports will show the needed projects and what will be necessary to be done; and

WHEREAS, An unnecessary delay may permit another flood to cause preventable loss of life and property in the near future, therefore it is imperative for the protection of the State from such loss, that work on these several projects be commenced without delay; and

WHEREAS, Should a rule prevail whereby projects are considered and authorized by Congress only in even numbered years, that such rule be set aside for the welfare and the protection of the people of the United States; and

WHEREAS, The Federal Government has adopted a policy of aiding in flood control throughout the various States; and

WHEREAS, That flood control is a problem too great to be handled by the State without Federal aid; and

WHEREAS, It is necessary that the several reports made and to be made by the United States Army Engineers regarding flood control must be passed upon by several Federal agencies and must be authorized as projects to be constructed before appropriations can be made and construction begun; now, therefore, be it

Resolved by the Senate and Assembly of the State of California jointly. That the Legislature of the State of California hereby respectfully urges and memorializes the President and the Congress of the United States at the earliest possible date to authorize the flood control projects as recommended and as they may be recommended by the United States Army Engineers in their reports with reference to the construction of such projects in the State of California.

The Legislature of the State of California further urges and memorializes you, the President and Congress of the United States to provide the necessary funds for the construction and completion at an early date of such construction; and furthermore, that such additional sums be made available as may be necessary to provide for such additional reports as may be found necessary by the Army Engineers.

Resolved, That the Secretary of the Senate is hereby directed to send copies of this resolution to the President and the Vice President of the United States, the Speaker of the House of Representatives, and to each member of the Senate and the House of Representatives in the Congress of the United States from California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Gordon, Jespersen, Keating, Keuny, Mixter, Myhand, Nielsen, Phillips, Powers, Quinn, Seawell, Slater, Swing, Tickle, and Wagy—25.

NOES—None.

Senate Joint Resolution No. 1 ordered transmitted to the Assembly.

Request for Permission to Offer a Concurrent Resolution.

The following request for permission to offer a concurrent resolution was presented:

By Senator Seawell:

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to offer a concurrent resolution, the title of which is set forth below:

Relative to adjournment sine die of the second extraordinary session of the Fifty-third Legislature of the State of California.

Respectfully submitted.

SENATOR SEAWELL.

Request referred to Committee on Rules.

Recess.

At eleven o'clock and ten minutes a.m., on motion of Senator Quinn, the President of the Senate declared recess to hear a few remarks from Otis Brown, National Commander of the Veterans of Foreign Wars, and also from Department Commander Low of the State of California Veterans of Foreign Wars.

Reconvened.

At eleven o'clock and twenty minutes a.m., the Senate reconvened. Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Seawell for permission to offer a Concurrent Resolution:

Relative to adjournment sine die of the second extraordinary session of the Fifty-third Legislature of the State of California;
Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the Concurrent Resolution offered, and placed on file.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bill was introduced:

Senate Concurrent Resolution No. 2: By Senator Seawell—Relative to adjournment sine die of the second extraordinary session of the Fifty-third Legislature of the State of California.

Consideration of Senate Concurrent Resolution No. 2.

Senate Concurrent Resolution No. 2.

Relative to adjournment sine die of the second extraordinary session of the Fifty-third Legislature of the State of California.

Resolved by the Senate of the State of California, the Assembly thereof concurring. That the second extraordinary session of the Fifty-third Legislature of the State of California, which convened at ten o'clock a.m., on the thirteenth day of May, 1940, pursuant to a proclamation issued by the Governor of the State of California under date of May 10, 1940, shall adjourn sine die at five o'clock p.m., May 24, 1940.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Foley, Gordon, Hollister, Holohan, Jaspersen, Keating, Kenny, Mayo, McBride, McCormack, Mixer, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—30.

NOES—None.

Senate Concurrent Resolution No. 2 ordered transmitted to the Assembly.

Recess.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Seawell, the President of the Senate declared recess until three o'clock p.m.

Reconvened.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately;

And reports that the same has been correctly engrossed.

SEAWELL, Chairman.

On Finance, Revenue and Taxation.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Finance, Revenue and Taxation, to which was referred:

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—11.

TICKLE, Chairman.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Finance, Revenue and Taxation, to which was referred:

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; noes—1.

TICKLE, Chairman.

Resolution.

The following resolution was offered:

By Senator Seawell:

Resolved, That Assembly Bills Nos. 1 and 2 present a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Holohan, Jespersen, Keating, Kenny, McBride, McCormack, Mixer, Myland, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Tickle, and Wagy—31.

NOES—None.

Whereupon the President declared the provisions of section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bills Nos. 1 and 2.

Second Reading of Assembly Bills (Out of Order).

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Committee Amendments.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendments to Assembly Bill No. 1 were read and adopted:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out "Whereas, the Reclamation Board jointly with", and strike out lines 2 to 13, inclusive, and insert in lieu thereof the following: "In addition to any money other-".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 21, and insert in lieu thereof the following: "in carrying out the construction program adopted by the Reclamation Board jointly with the California Debris Commission, for the units of the Sacramento River Flood Control Project consisting of levee construction and repair along the Feather and Sacramento rivers and their tributaries and along the Sutter By-pass and the Yolo By-pass, and for the acquisition of lands, rights of way, easements, and flowage easements and for incidental construction and for the administration and overhead of the Reclamation Board."

Amendment No. 3.

On page 1 of the printed bill, after line 21, insert the following:

"SEC. 1.5. In addition to any other provisions of law which may be applicable hereto, no part of the money appropriated by this act shall be expended for any purpose other than the construction of new works or structures, unless such expenditure and purpose is first approved by the State Controller and by the Chief Engineer and General Manager of the State Reclamation Board."

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Consideration of Committee Amendment.

Pursuant to the report of the Committee on Finance, Revenue and Taxation, the following amendment to Assembly Bill No. 2 was read and adopted:

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, strike out "\$430,315", and insert in lieu thereof the following: "\$300,000".

Bill read second time, and ordered on file for third reading.

Third Reading of Assembly Bills (Out of Order).

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Senators Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Holohan, Jaspersen, Keating, Kenny, McBride, McCormack, Mixter, Myhand, Nielsen, Parkman, Powers, Rich, Seawell, Shelley, Slater, Tickle, and Wagye—30.

NOES—None.

Title read and approved.

Assembly Bill No. 2 ordered transmitted to the Assembly.

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and shall therefore take effect immediately. A statement of the facts constituting such necessity is as follows:

Recent disastrous floods have caused extensive destruction of levees and flood control works in the great valley of California. It is imperative that work be commenced at once to repair and restore existing levees, and to acquire rights of way and to construct new levees so that by the spring of 1941 adequate flood control protection can be afforded.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Fletcher, Foley, Garrison, Gordon, Hays, Hollister, Holohan, Jespersen, Keating, Kenny, McBride, McCormack, Mixer, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, and Wagy—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, DeLap, Deuel, Fletcher, Garrison, Gordon, Hollister, Holohan, Jespersen, Keating, Kenny, McBride, McCormack, Mixer, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, and Wagy—28.

NOES—Senator Cunningham—1.

Title read and approved.

Assembly Bill No. 1 ordered transmitted to the Assembly.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Senators Breed, DeLap, Parkman, Rich, McCormack and Tickle.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, we request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditures thereof; declaring the urgency of the act and that it shall take effect immediately.

Respectfully submitted.

SENATORS BREED AND OTHERS.

Request referred to Committee on Rules.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Rules to which was referred the following request by Senators Breed and others for permission to introduce a bill:

An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditures thereof; declaring the urgency of the act and that it shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the bill introduced and referred to Committee on Finance, Revenue and Taxation.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Introduction, First Reading and Reference of Bills.

The following bill was introduced:

Senate Bill No. 33: By Senators Breed, DeLap, Parkman, Rich, McCormack and Tickle—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditures thereof; declaring the urgency of the act and that it shall take effect immediately.

Senate Bill No. 33 read first time and referred to Committee on Finance, Revenue and Taxation.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 1—Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California.

JACK CARL GREENBURG, Chief Clerk of Assembly.

By C. W. BOOTH, Assistant Clerk.

Senate Joint Resolution No. 1 ordered to enrollment.

Report of Standing Committee.

The following report of standing committee was received and read:

On Finance, Revenue and Taxation.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: Your Committee on Finance, Revenue and Taxation, to which was referred:

Senate Bill No. 33—An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods, prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act, and that it take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—11.

TICKLE, Chairman.

Senate Resolution No. 14.

The following resolution was offered:

By Senator Tickle:

Resolved, That the following named persons be and the same are hereby stricken from the pay roll of the Senate on the completion of work on May 24, 1940:

Joseph F. Nolan	Sergeant-at-Arms
A. Raymond Grant	Chaplain
James Boyd Garrison	Minute Clerk
Maitland S. Pennington	Assistant Secretary
John F. Lea	Assistant Secretary
Howard S. McIntire	Assistant Secretary
Robert Alderman	Engrossing and Enrolling Clerk
Harry L. Jordan	Bookkeeper to Sergeant-at-Arms
N. L. Levering	Journal Clerk
Vera Frank	Chief Stenographer
Belle Tomasini	Stenographer

Resolution read, and on motion of Senator Tickle, adopted.

Resolution.

The following resolution was offered:

By Senator Gordon:

Resolved, That Senate Bill No. 10 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Garrison, Gordon, Hays, Hollister, Holohan, Jepsen, Keating, Kenny, McBride, Myhand, Nielsen, Parkman, Powers, Quinn, Seawell, Shelley, Slater, Tickle, and Waggy—27.

NOES—None.

Whereupon the President declared the provisions of Section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 10.

Consideration of Senate Bill No. 10.

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution. The following is a statement of the facts constituting such necessity:

At the present time disastrous floods in Napa County occur in the rainy season because of excess runoff of water. Notwithstanding this excess runoff the water supply for the Veterans' Home of California and other State institutions in Napa County is inadequate. In order to prevent further floods, in order to avoid impairment of the health of inmates by reason of the lack of adequate water, and to eliminate a serious fire hazard, it is necessary that this act take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Garrison, Gordon, Hays, Hollister, Holohan, Jespersen, Keating, Kenny, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Tickle, and Wagy—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 10 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Garrison, Gordon, Hays, Hollister, Holohan, Keating, Kenny, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Tickle, and Wagy—27.

NOES—None.

Title read and approved.

Senate Bill No. 10 ordered transmitted to the Assembly.

Recess.

At five o'clock p.m., on motion of Senator Seawell, the President of the Senate declared recess until five o'clock and thirty minutes p.m.

Reconvened.

At five o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Resolution.

The following resolution was offered:

By Senator Breed:

Resolved, That Senate Bill No. 33 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Garrison, Hays, Hollister, Holohan, Jespersen, Keating, Kenny, McBride, Mixer, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, and Wagy—28.

NOES—None.

Whereupon the President declared the provisions of Section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 33.

Consideration of Senate Bill No. 33.

Senate Bill No. 33—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Bill read second time.

Bill read third time.

Urgency Clause.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall, therefore, go into immediate effect. A statement of the facts constituting such necessity is as follows:

Unprecedented storms and floods subsequent to January 1, 1940, causing hardship and destitution, and resulting in loss of life and damage to and destruction of property have augmented demands upon agencies of the State which can not be met from existing appropriations. It is, therefore, necessary that funds be made immediately available for the purposes specified in this act in order to repair and restore essential public services and particularly in order to enable completion of repair and restoration of storm and flood protection works prior to the commencement of the season of the year when storms and floods may reasonably be anticipated to again occur, and in order to avert further danger to the public peace, health and safety.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Garrison, Gordon, Hays, Hollister, Holohan, Jespersen, Keating, Kenny, McBride, Mixer, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Tickle, and Wagy—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 33 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Garrison, Hays, Hollister, Holohan, Jespersen, Keating, Kenny, McBride, Mixer, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Slater, Tickle, and Wagy—28.

NOES—None.

Title read and approved.

Senate Bill No. 33 ordered transmitted to the Assembly.

Communication.

The following communication was received, read, and ordered printed in the Journal:

WESTERN UNION

SAN FRANCISCO, CALIFORNIA, May 23, 1940.

*Jerrold Seawell, President Pro Tempore of Senate,
Capitol Building, Sacramento, California.*

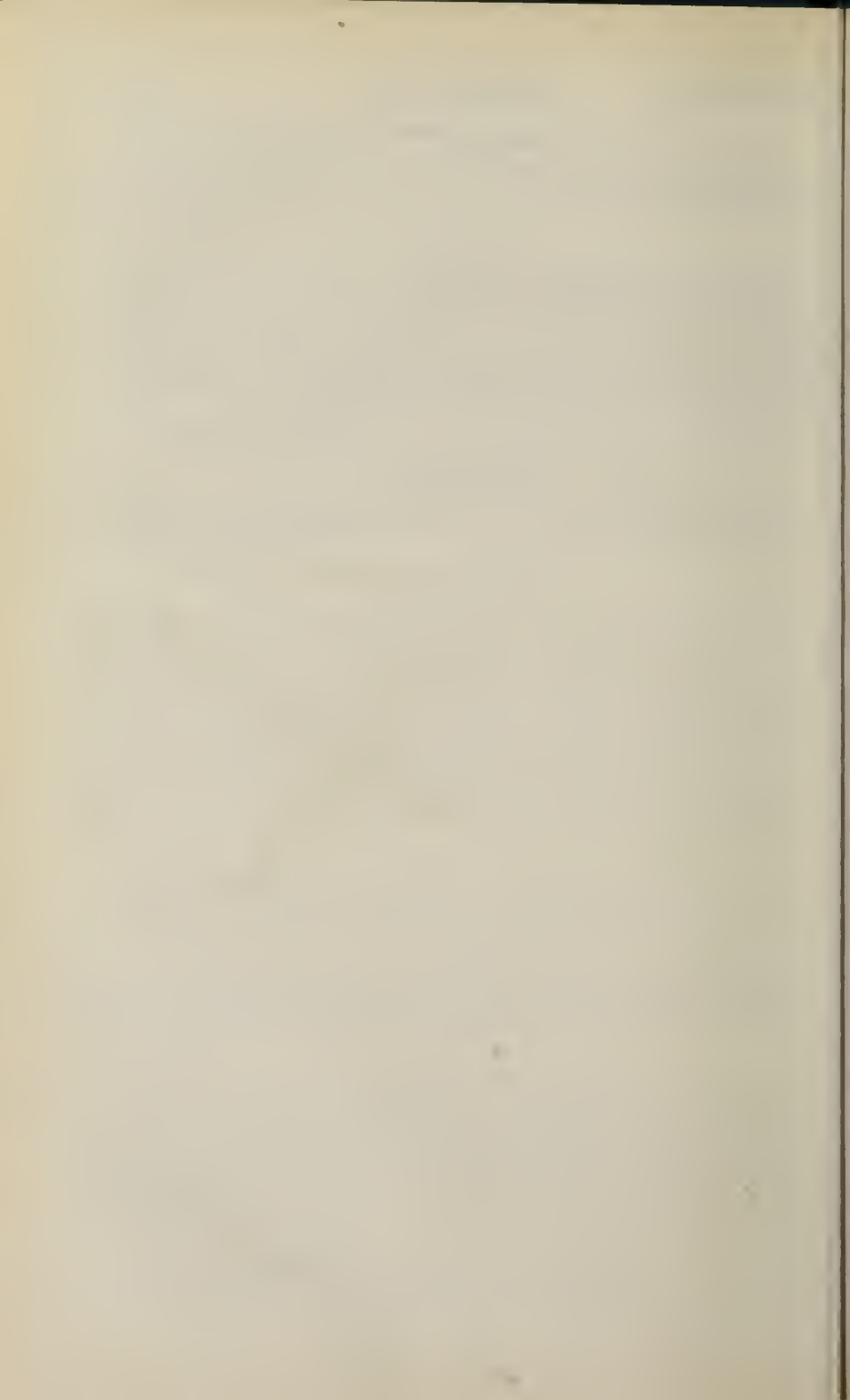
Labor Industrial Civic Citizens urge Legislature back resolution passed unanimously by San Francisco Board of Supervisors proclaiming June 1 to 7 "Moral Rearmament Week for National Unity." Our citizens eagerly await expressions of support by both houses. Have sent same telegram to Speaker Garland. Text of supervisors resolution airmailed to your hotel this afternoon. Mrs. Fenton Knight has further details. General Farrell broadcasting on Moral Rearmament and National Defense over KROY, Sacramento, 9 p.m., tonight. Signed Supervisor Dr. Adolph Schmidt, Gus Gaynor, Supervisor Dewey Mead.

MAJOR A. J. WATSON.

Adjournment.

At six o'clock and twelve minutes p.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned, until eleven o'clock a.m., Friday, May 24, 1940.

JAMES BOYD GARRISON, Minute Clerk.



CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
 Friday, May 24, 1940.

The Senate met at eleven o'clock a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Assistant Secretary Maitland S. Pennington at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Collier, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Mayo, McBride, McCormack, Mixter, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Slater, Swing, and Wagye—29.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Thursday, May 23, 1940, the further reading was dispensed with, on motion of Senator Slater.

Request for Permission to Offer a Joint Resolution.

The following request for permission to offer a joint resolution was presented:

By Senator Fletcher:

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. PRESIDENT: In accordance with the provisions of the standing rules of the Senate, I request permission to offer a joint resolution, the title of which is set forth below:

Relative to damage by earthquake in Imperial Valley.

Respectfully submitted.

SENATOR FLETCHER.

Request referred to Committee on Rules.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred the following request by Senator Fletcher for permission to offer a joint resolution:

Relative to damage by earthquake in Imperial Valley;
Has had the same under consideration, and respectfully reports the same back, and recommends that permission be granted, the joint resolution offered, and referred to Committee on Governmental Efficiency.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Concurrent Resolution No. 1—Relating to the sponsorship of a WPA project to improve the Dorchester Ditch;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

HAYS, Chairman.

Introduction, First Reading and Reference of Bills.

The following bill was introduced:

Senate Joint Resolution No. 2: By Senator Fletcher—Relative to damage by earthquake in Imperial Valley.

Senate Joint Resolution No. 2 read, and referred to Committee on Governmental Efficiency.

Consideration of Assembly Concurrent Resolution No. 1.

Assembly Concurrent Resolution No. 1.

Relating to the sponsorship of a WPA project to improve the Dorchester Ditch.

WHEREAS, In the city and county of Los Angeles between Valley Boulevard on the north and Gravois Avenue on the south, and between Charnwood Avenue on the east and Highbury Road on the west, there exists an open and unprotected channel known as the Dorchester Ditch; and

WHEREAS, This ditch is a deep and dangerous wash, subject to enormous increases in flow over short periods of time, and is exceedingly dangerous to life and property; and

WHEREAS, Several children have recently been killed or injured while playing therein; and

WHEREAS, The employment of the destitute on useful work projects is a recognized method of alleviating distress; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Relief Commission and the Relief Administrator are hereby urged and requested to study and consider the advisability of seeking the approval of a WPA project to improve this ditch and eliminate this hazard; and be it further

Resolved, That the Relief Commission and the Relief Administrator are urged and requested to study and consider the advisability of making all or a part of the sponsor's contribution to this project; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the Governor of the State of California, to the Relief Administrator, and to the members of the Relief Commission.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Breed, Brown, Collier, Cunningham, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Keating, Kenny, Mayo, McBride, McCormack,

Myland, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing Pickle, and Wagy—28.
 NOES—None.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Assembly.

Report of Standing Committee.

The following report of standing committee was received and read:

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Joint Resolution No. 2—Relative to damage by earthquake in Imperial Valley;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

HAYS, Chairman.

Consideration of Senate Joint Resolution No. 2.

Senate Joint Resolution No. 2.

Relative to damage by earthquake in Imperial Valley.

WHEREAS, The Imperial Valley has suffered a catastrophe caused by the recent earthquake in the damage of public property in the cities and counties of Imperial Valley and the Imperial Irrigation District, particularly to their water systems, endangering the shutting off of a domestic water supply necessary to preserve health and life; and

WHEREAS, In the city of Imperial, the city hall, also library, are severely damaged and condemned; and

WHEREAS, In the city of Brawley the immediate requirements are to replace the buildings of the fire department, city hall, with much damage to public property in the city of Calexico, Holtville and El Centro; and

WHEREAS, The board of trustees of the Brawley School District state that the earthquake has caused great and irreparable damage to their schoolhouse structures and in such a manner as to make mandatory the expenditure of \$419,000 in order to replace structures damaged beyond repair and to rehabilitate structures capable of repair, with a request for immediate relief; and

WHEREAS, The Imperial Irrigation District furnishing water to all the cities and farms of Imperial Valley has been damaged to the extent of over \$250,000, while the water supply for domestic and stock purposes is in a serious condition; and

WHEREAS, Water for delivery for agricultural purposes is now completely cut off and will remain in such condition until said canal can be repaired and placed in operating condition; and

WHEREAS, The funds of the Imperial Irrigation District for such emergency work have been exhausted on account of a flood of major proportion occurring through cloudbursts in the summer of 1939, leaving the district without funds to care for this grave emergency; and

WHEREAS, The failure to meet the foregoing situation will bring about untold human suffering and loss of property and will increase the relief burden of the State if funds are not made available immediately; and

WHEREAS, As near as it can be determined at the present time the damage to public property exceeds one and one-half to two million dollars, not including many hundreds of thousands of dollars to private property; therefore,

The Senate of California, the Assembly concurring, Do hereby urge the Federal Government to render immediate financial assistance, either through a special appropriation or WPA assistance or both, for substantial relief for the rehabilitation of the damage sustained in cooperation with State and local assistance through the Director of Public Works of the State of California; therefore be it

Resolved, That a copy of this resolution as passed be forwarded to the President of the United States, to Congress and to our California representatives in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Cunningham, Deuel, Fletcher Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Myhand, Nielsen, Parkman, Powers, Rich, Seawell, Slate Swing, Tinkle, and Wagy—28.

NOES—None.

Senate Joint Resolution No. 2 ordered transmitted to the Assembly.

Recess.

At eleven o'clock and thirty minutes a.m., on motion of Senator Seawell, the President of the Senate declared recess until four o'clock p.m.

Reconvened.

At four o'clock p.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate in the chair.

Secretary Joseph A. Beck at the desk.

Report of Standing Committee.

The following report of standing committee was received and read:

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Joint Resolution No. 2—Relative to memorializing the President and Congress to increase the land defenses of the United States; Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

HAYS, Chairman.

Consideration of Assembly Joint Resolution No. 2.

Assembly Joint Resolution No. 2.

Relative to memorializing the President and Congress to increase the land defenses of the United States.

WHEREAS, The existing state of world affairs makes it imperative that the United States be possessed of an adequate national defense; and

WHEREAS, Heretofore the people of the United States, being a peaceful people, have neglected to provide for an adequate defense until a time of emergency has arrived, with a consequent waste of life and money and the creation of undue apprehension and hardship; and

WHEREAS, A program of adequate preparation and proper training and the anticipation of what may come in the future would tend to prevent the unnecessary loss of life, property, and national resources; and

WHEREAS, It is the heartfelt sentiment of this Legislature that every possible step should be taken to retain for the United States its present security; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and Congress be urged to initiate a program of immediate expansion of the land defenses of the United States and to immediately expand the regular army and the National Guard of the United States to the number of one million men; and be it further

Resolved, That the chief clerk of the Assembly forward a copy of this resolution to the President and Vice President of the United States, to the Speaker of the

House of Representatives of the Congress of the United States, and to each Senator and member of the House of Representatives from California in the Congress of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Breed, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Keating, Kenny, Mayo, McCormack, Nielsen, Powers, Quinn, Seawell, Slater, and Waggy—21.

NOES—None.

Assembly Joint Resolution No. 2 ordered transmitted to the Assembly.

Messages from the Assembly.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 2—Relative to damage by earthquake in Imperial Valley;

Senate Concurrent Resolution No. 2—Relative to adjournment sine die of the second extraordinary session of the Fifty-third Legislature of the State of California.

JACK CARL GREENBURG, Chief Clerk of Assembly.

By C. W. BOOTH, Assistant Clerk.

Senate Joint Resolution No. 2 ordered to enrollment.

Senate Concurrent Resolution No. 2 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately;

Senate Bill No. 33—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.

By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 10 and 33 ordered to enrollment.

Senate Resolution No. 15.

The following resolution was offered:

By Senator Mayo:

Resolved, That the President of the Senate appoint a committee of three to notify the Assembly that the Senate is ready to adjourn sine die the fifty-third (second extraordinary) session of the Legislature pursuant to the provisions of Senate Concurrent Resolution No. 2 and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Mayo, adopted.

Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Mayo, Nielsen, and Powers.

Senate Resolution No. 16.

The following resolution was offered:

By Senator Foley:

Resolved, That the President of the Senate appoint a committee of three to notify the Governor that the Senate is ready to adjourn sine die the fifty-third (second extraordinary) session of the Legislature pursuant to the provisions of Senate Concurrent Resolution No. 2 and to ask if His Excellency has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Foley, adopted.

Appointment of Special Committee.

The President announced, in accordance with the above resolution the appointment of Senators Foley, Gordon, and Cunningham.

Approval of Journals.

The Senate Journals for the fifty-third (second extraordinary) session of Monday, May 20, 1940; Tuesday, May 21, 1940; Wednesday, May 22, 1940, and Thursday, May 23, 1940, were, on motion of Senator Seawell, approved as corrected by the Journal Clerk and the Minute Clerk.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately;

Senate Bill No. 33—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately;

Senate Joint Resolution No. 2—Relative to damage by earthquake in Imperial Valley;

Senate Concurrent Resolution No. 2—Relative to adjournment sine die of the second extraordinary session of the Fifty-third Legislature of the State of California; And reports that the same have been correctly enrolled and presented to the Governor on the twenty-fourth day of May, 1940, at four o'clock p.m.

SEAWELL, Chairman.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Joint Resolution No. 1—Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California; And reports that the same has been correctly enrolled and presented to the Governor on the twenty-fourth day of May, 1940, at three o'clock p.m.

SEAWELL, Chairman.

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Concurrent Resolution No. 4—Relative to the completion of a year by the air lines of this country without a major accident;

Assembly Concurrent Resolution No. 3—Relative to the "I am an American panegyric";

Has had the same under consideration, and respectfully reports the same back without recommendation for the reason that no committee action has been taken.

HAYS, Chairman.

Approval of Minutes.

The minutes of this legislative day, Friday, May 24, 1940, were, on motion of Senator Seawell, approved as corrected by the Minute Clerk.

President Pro Tempore in the Chair.

At four o'clock and forty-five minutes p.m., Hon. Jerrold L. Seawell, President Pro Tempore of the Senate, in the chair.

Report of Standing Committee.

The following report of standing committee was received and read:

On Finance, Revenue and Taxation.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: Your Committee on Finance, Revenue and Taxation, to which was referred:

Senate Bill No. 1—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately;

Senate Bill No. 2—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 3—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 4—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Glenn, Colusa, and Tehama counties, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 5—An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 6—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 7—An act creating the State of California Napa Water Authority and prescribing the powers and duties thereof; providing for the powers and duties of the State Department of Public Works in relation thereto; authorizing the construction and operation of systems for the impounding, sale and distribution of water, including the impounding of surplus and flood waters; providing for the issuance and sale of revenue bonds; and making funds available for the purposes of this act;

Senate Bill No. 8—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Siskiyou County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 9—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Del Norte County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 11—An act to provide for the transference to the State of California Napa Water Authority of the unexpended and unencumbered funds in the State treasury appropriated by Chapter 760 of the Statutes of 1937 and Chapter 678 of the Statutes of 1939;

Senate Bill No. 12—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by

storms and floods and to avert, alleviate and prevent such damage and destruction in Napa and Yolo counties, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 13—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Solano County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 14—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in San Joaquin County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 15—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Sonoma County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 16—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Stanislaus County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 17—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Humboldt County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 18—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Kings County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 19—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Modoc, Lassen and Plumas counties, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 20—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the counties of Yuba and Sutter, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 21—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Mendocino, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 22—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Lake, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 23—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Marin, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 24—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in San Mateo County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 25—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Ventura, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 26—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruc-

tion in the county of Calaveras, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 27—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Santa Clara, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 28—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Trinity County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 29—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Madera, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 30—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Merced, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 31—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in the county of Butte, declaring the urgency thereof, and providing that this act shall take effect immediately;

Senate Bill No. 32—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Shasta County, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration and respectfully reports the same back without recommendation for the reason that no committee action has been taken.

TICKLE, Chairman.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 1.

Assembly Bill No. 2.

JACK CARL GREENBURG, Chief Clerk of Assembly.

By C. W. BOOTH, Assistant Clerk.

Report of Committee.

Senator Mayo, as chairman of the committee appointed to inform the Assembly of the readiness of Senate to adjourn sine die, in accordance with the provisions of Senate Concurrent Resolution No. 2, reported that the committee had delivered the message to the Assembly and had been requested by the Assembly to inform the Senate that the Assembly had no further communications to transmit, as they were prepared to adjourn sine die.

Report of Committee.

Senator Foley, as chairman of the committee appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn sine die, as provided in Senate Concurrent Resolution No. 2, reported that they had performed their duty.

Final Adjournment.

Whereupon at five o'clock p.m., on motion of Senator Mayo, in accordance with the provisions of Senate Concurrent Resolution No. 2 the President Pro Tempore of the Senate declared the fifty-third (second extraordinary) session of the Senate of the State of California adjourned sine die.

JOSEPH A. BEEK,
Secretary of the Senate.

JAMES BOYD GARRISON,
Minute Clerk of the Senate.

ELLIS E. PATTERSON,
President of the Senate.

JERROLD L. SEAWELL,
President pro tempore of the Senate

SUPPLEMENT TO SENATE JOURNAL

SENATE BILLS APPROVED BY THE GOVERNOR, CHAPTERED
AND FILED WITH THE SECRETARY OF STATE

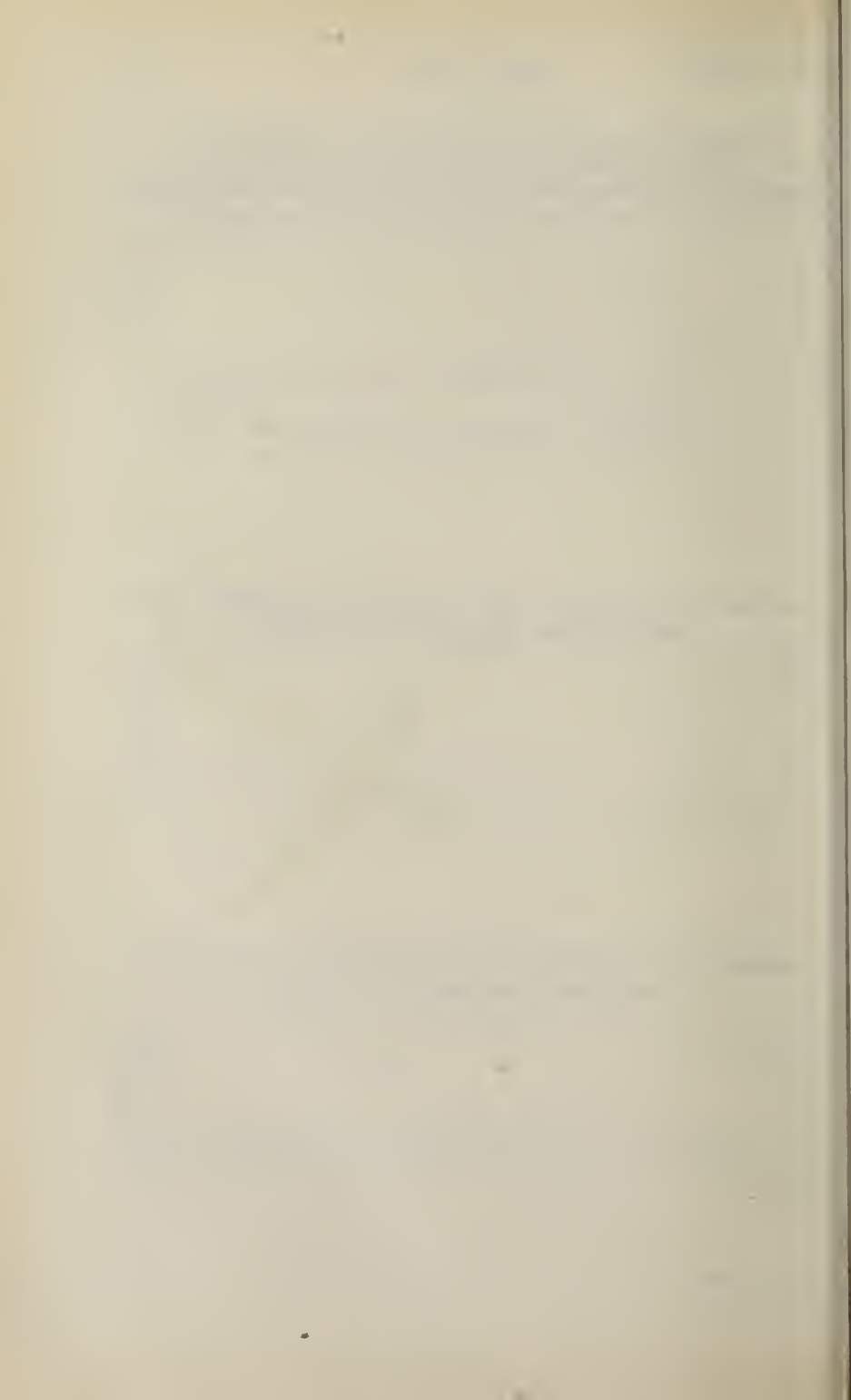
Number	Chapter	Author	Subject of Title	Approved by Governor
10	4	Gordon	An act re construction of dam and water distributing system in Napa Valley	June 1
33	1	Breed, DeLap, Parkman, Rich, McCormack and Tickle	An act appropriating \$500,000 to emergency fund for repair of property damaged by storms and flood	May 29
Total		2		

SENATE CONCURRENT RESOLUTIONS CHAPTERED AND
FILED WITH SECRETARY OF STATE

Number	Chapter	Author	Subject of Title	Date filed with Secretary of State
1	1	Phillips, et al.	Re legislation for relief of hardship and destitution	May 20
2	5	Seawell	Re adjournment of Legislature sine die	May 28
Total		2		

SENATE JOINT RESOLUTIONS CHAPTERED AND FILED
WITH THE SECRETARY OF STATE

Number	Chapter	Author	Subject of Title	Date filed with Secretary of State
1	3	Crittenden	Re Federal authorization of California flood control projects	May 28
2	4	Fletcher	Re damage by earthquake in Imperial Valley	May 28



INDEX

20201

INDEX TO SENATE JOURNAL

SECOND EXTRAORDINARY SESSION

A

	Page
ADJOURNMENT	78
ALDERMAN, ROBERT G.	
Appointed Engrossing and Enrolling Clerk	5
Stricken from pay roll	64
ASSEMBLY.	
Messages from	12, 26, 37, 45, 55, 63, 73, 77
Election of statutory officers	10
Notified of—	
Organization of Senate	6
Senate ready to adjourn sine die	77

B

BEEK, JOSEPH A.	
Elected Secretary of Senate	2
Oath of office administered	2
BIGGAR, SENATOR GEORGE M.	
Granted leave of absence	15, 19, 26
Requests permission to introduce two bills	37
Request granted	39
BREED, SENATOR ARTHUR H., JR.	
Requests permission to introduce a bill	62
Request granted	63
BROWN, SENATOR CHARLES.	
Appointed on committee—	
Notify Assembly of organization of Senate	4
Resolution—	
Mileage for Senators and officers	4

C

CAMARILLO, ADOLFO.	
Privilege of floor of Senate extended	20
COLLIER, SENATOR RANDOLPH.	
Granted leave of absence	9, 19
Requests permission to introduce a bill	13, 27, 50
Request granted	14, 29, 52
COMMITTEES.	
Standing	3
Wait on Assembly	73
Wait on Governor	3, 74
COMMUNICATIONS.	
Senate Bill No. 3 within scope of Proclamation	23
Moral rearmament week for National unity	67
CRITTENDEN, SENATOR BRADFORD S.	
Requests permission to introduce a bill	27
Request granted	29
CUNNINGHAM, SENATOR R. R.	
Appointed on committee—	
Notify the Governor Senate ready to adjourn sine die	74
Requests permission to introduce a bill	28
Request granted	30

D

DEWEESE, MAJOR CHARLES.	
Privilege of floor of Senate extended	53
DEUEL, SENATOR CHARLES H.	
Granted leave of absence	9
Resolution—	
Room S be made into offices for Senate	26
Requests permission to introduce a bill	39
Request granted	41

	Page
DE LAP, SENATOR T. H.	
Granted leave of absence.....	1, 26
Requests permission to introduce a bill.....	62
Request granted.....	63
F	
FERGUSON, J. FRANK.	
Privilege of floor of Senate extended.....	15
FLETCHER, SENATOR ED.	
Appointed on committee—	
Notify Governor of organization of Senate.....	3
Granted leave of absence.....	35
Resolution—	
Standing committees same as first extra session.....	3
FLETCHER, VIRGINIA ENGLISH.	
Privilege of floor of Senate extended.....	45
FOLEY, SENATOR JOHN D.	
Appointed on committee—	
Notify Governor Senate ready to adjourn sine die.....	74
Resolution—	
Notify Governor Senate ready to adjourn sine die.....	74
Requests permission to introduce a bill.....	13, 38
Request granted.....	14, 40
FRANK, VERA.	
Appointed Chief Stenographer.....	5
Stricken from pay roll.....	64
G	
GARRISON, SENATOR J. C.	
Requests permission to introduce a bill.....	13, 16, 28
Request granted.....	14, 17, 30
GARRISON, JAMES BOYD.	
Elected Minute Clerk.....	2
Oath of office administered.....	2
Stricken from pay roll.....	64
GORDON, SENATOR FRANK L.	
Appointed on committee—	
Notify Governor Senate is ready to adjourn sine die.....	74
Resolution—	
Notify Assembly of election of statutory officers.....	4
Requests permission to introduce a bill.....	13, 20, 27
Request granted.....	14, 21, 29
GOVERNOR CULBERT L. OLSON.	
Message from—	
Calling second extraordinary session.....	6
Proclamation of.....	1
GRANT, REV. A. RAYMOND.	
Elected Chaplain.....	2
Oath of office administered.....	2
Stricken from pay roll.....	64
GRAHAM, B. M.	
Privilege of floor of Senate extended.....	55
H	
HAMM, MR. AND MRS. WALDOMAR.	
Privilege of floor of Senate extended.....	20
HANSEN, MRS. GEORGE M.	
Privilege of floor of Senate extended.....	10

	Page
HOLOHAN, SENATOR JAMES B.	
Granted leave of absence-----	1, 15, 19, 26, 35
HOLLISTER, SENATOR J. JAMES.	
Granted leave of absence-----	26
Requests permission to introduce a bill-----	13, 16
Request granted-----	14, 17
HOSKINS, J. EARLE.	
Privilege of floor of Senate extended-----	20

J

JONES, ERNEST.	
Privilege of floor of Senate extended-----	20
JORDAN, HARRY L.	
Appointed Bookkeeper to Sergeant-at-Arms-----	5
Stricken from pay roll-----	64
JOURNALS, SENATE.	
Approval of-----	43, 74, 75

K

KENNY, SENATOR ROBERT W.	
Requests permission to introduce a bill-----	11
Request granted-----	12
KEMMEL, R. L.	
Privilege of floor of Senate extended-----	20
KEATING, SENATOR THOMAS F.	
Granted leave of absence-----	53
Requests permission to introduce a bill-----	37
Request granted-----	39
KILLAM, FRANK N., CHIEF OF BUILDINGS AND GROUNDS.	
Requested to partition Room S into office space for Senate-----	26

L

LEGISLATIVE COUNCIL.	
Opinion re—	
Senate Bill No. 3 within scope of Proclamation-----	23
LEA, JOHN F.	
Appointed Assistant Secretary-----	5
Stricken from pay roll-----	64
LEVERING, N. L.	
Appointed Journal Clerk-----	5
Stricken from pay roll-----	64
LOMAX, REV. PAUL.	
Privilege of floor of Senate extended-----	53

M

MAYO, SENATOR JESSE M.	
Appointed on committee—	
Notify Assembly of organization of Senate-----	4
Notify Assembly Senate is ready to adjourn sine die-----	74
Motion re Senate adjourn sine die-----	78
Requests permission to introduce a bill-----	38
Request granted-----	40
Resolution—	
Notify Assembly Senate is ready to adjourn sine die-----	73
Notify Assembly of organization of Senate-----	3
METZGER, SENATOR D. JACK.	
Granted leave of absence-----	35, 55
Requests permission to introduce a bill-----	16
Request granted-----	17
MILLER, JACK C.	
Privilege of floor of Senate extended-----	20

	Page
MILLER, FRANK L.	
Privilege of floor of Senate extended-----	53
MINTER, SENATOR FRANK W.	
Requests permission to introduce a bill-----	6
Request granted-----	12
MOTION.	
Senate recess to hear remarks of Otis Brown, National Commander V. F. W.	58
Senate adjourn sine die-----	78
MYHAND, SENATOR PETER P.	
Appointed on committee-----	
Notify Governor of organization of Senate-----	3
Granted leave of absence-----	19
Requests permission to introduce a bill-----	39
Request granted-----	41
Resolution-----	
Notify Governor of organization of Senate-----	3
Mc	
McBRIDE, SENATOR JAMES J.	
Appointed on committee-----	
Notify Assembly of organization of Senate-----	4
Requests permission to introduce a bill-----	38
Request granted-----	40
McCORMACK, SENATOR THOMAS.	
Appointed on committee-----	
Notify Governor of organization of Senate-----	3
Requests permission to introduce a bill-----	27, 62
Request granted-----	29, 63
McINTIRE, S. HOWARD.	
Appointed History Clerk-----	5
Stricken from pay roll-----	64
N	
NIELSEN, SENATOR ROY J.	
Appointed on committee-----	
Notify Assembly Senate is ready to adjourn sine die-----	73
Resolution-----	
Warrants for members and officers-----	5
Room 8 be made into office space for Senate-----	26
NOLAN, JOSEPH F.	
Elected Sergeant-at-Arms-----	2
Oath of office administered-----	2
Stricken from pay roll-----	64
O	
OLSON, EMMETT K.	
Privilege of floor of Senate extended-----	35
OLSON, CULBERT L.	
See GOVERNOR CULBERT L. OLSON.	
P	
PARKMAN, SENATOR HARRY L.	
Requests permission to introduce a bill-----	37, 62
Request granted-----	40, 63
PENNINGTON, MAITLAND S.	
Appointed Assistant Secretary-----	
Stricken from pay roll-----	5
POWERS, SENATOR HAROLD J.	
Appointed on committee-----	
Notify Assembly Senate is ready to adjourn sine die-----	73
Requests permission to introduce a bill-----	13, 16, 28
Request granted-----	14, 17, 30

	Page
PREBBE, A. Y.	
Privilege of floor of Senate extended.....	55

Q

QUINN, SENATOR IRWIN T.

Communication—	
Senate Bill No. 3 within scope of Proclamation.....	23
Motion—	
Senate recess to hear remarks of Otis Brown, National Commander V. F. W.	58
Requests permission to introduce a bill.....	13, 28, 38
Request granted	14, 30, 40

R

RICH, SENATOR WILLIAM P.

Resolution—	
Election of statutory officers.....	2
Requests permission to introduce a bill.....	36, 62
Request granted	36, 63

RESOLUTIONS.

Attaches	5, 64
Election of statutory officers.....	2
Mileage for Senators and statutory officers.....	4
Notify Assembly of organization of Senate.....	3
Notify Assembly of election of statutory officers.....	4
Notify Assembly Senate is ready to adjourn sine die.....	73
Notify Governor of organization of Senate.....	3
Notify Governor Senate is ready to adjourn sine die.....	74
Officers and employees compensated for service rendered.....	20
Room S be made into office space for Senate.....	26
Senate organize and elect officers and employees.....	2
Standing committees be same as of the first extraordinary session.....	3
Standing Rules of the Senate.....	3
Warrants for members and officers.....	5

RODERGUIZ, GENERAL A.

Privilege of floor of Senate extended.....	45
--	----

RULES.

Standing, adoption of.....	3
----------------------------	---

S

SEAWELL, SENATOR JERROLD L.

Communication—	
Moral rearmament week for national unity.....	67
Elected President Pro Tempore	2
Motion—	
Approval of Journals	43, 74, 75
Oath of office administered	2
Presiding	50, 75
Resolution—	
Standing Rules of Senate.....	3

SEYMOUR, JOSEPH.

Privilege of floor of Senate extended.....	53
--	----

SHAVER, HUGH M.

Privilege of floor of Senate extended.....	26
--	----

SHELLEY, SENATOR JOHN F.

Granted leave of absence.....	19, 26, 35
Requests permission to introduce a bill.....	16
Request granted	17

SLATER, SENATOR HERBERT W.

Resolution—	
Senate organize and elect officers and employees.....	2
Requests permission to introduce a bill.....	13, 28
Request granted	14, 30

SNOW, MRS. E. D.

Privilege of floor of Senate extended.....	20
--	----

SUPPLEMENT	79
------------------	----

	Page
SWING, SENATOR RALPH E.	
Requests permission to introduce a bill-----	16
Request granted -----	17

T

TAYLOR, CATHERINE FLETCHER.	
Privilege of floor of Senate extended-----	45
TICKLE, SENATOR EDWARD H.	
Resolutions—	
Attaches -----	64
Officers and employees compensated for service rendered-----	20
Room 8 be made into office space for Senate-----	26
Requests permission to introduce a bill-----	62
Request granted -----	63
TOMASINI, BELLE.	
Appointed stenographer -----	5
Stricken from pay roll -----	64

W

WATSON, MAJOR A. J.	
Communication—	
Moral rearmament week for National unity-----	67
WOOD, FRED B., LEGISLATIVE COUNSEL	
Opinion—	
Senate Bill No. 3 within scope of Proclamation-----	23

TABLE OF ACTIONS OF ASSEMBLY MEASURES IN THE SENATE.

No.	ASSEMBLY BILLS	Page
1	From Assembly, to committee, 55, 56; from committee, Constitution suspended, read second time, amended, 60; read third time, passed, to Assembly, 62; Senate amendments concurred in-----	77
2	From Assembly, to committee, 56; from committee, Constitution suspended, 60; read second time, amended, read third time, passed, to Assembly, 61; Senate amendments concurred in-----	77

ASSEMBLY CONCURRENT RESOLUTIONS

1	From Assembly, to committee, 56; from committee, read, adopted, to Assembly-----	70
3	From Assembly, to committee, 37; returned by committee without action-----	74
4	From Assembly, to committee, 45; returned by committee without action-----	74

ASSEMBLY JOINT RESOLUTIONS

1	From Assembly, to committee, 12, 13; from committee, 21; read, adopted, to Assembly-----	50
2	From Assembly, to committee, 56; from committee, read, adopted, to Assembly-----	72

TABLE OF ACTIONS OF SENATE MEASURES IN THE SENATE

SENATE BILLS

1	Introduced, to committee, 12; returned by committee without action-----	75
2	Introduced, to committee, 12; returned by committee without action-----	75
3	Introduced, to committee, 14; returned by committee without action-----	75
4	Introduced, to committee, 17; returned by committee without action-----	75
5	Introduced, to committee, 17; returned by committee without action-----	75
6	Introduced, to committee, 18; returned by committee without action-----	75
7	Introduced, to committee, 22; from committee, read second time, amended and re-referred to committee, 46; returned by committee without action-----	75
8	Introduced, to committee, 31; from committee, 46; read second time, amended and re-referred to committee, 48; returned by committee without action-----	75
9	Introduced, to committee, 31; from committee, 46; read second time, amended and re-referred to committee, 48; returned by committee without action-----	75
10	Introduced, to committee, 31; from committee, 56; read second time, amended, 57; urgency clause adopted, read third time, passed, to Assembly, 65; from Assembly, to enrollment, 73; to Governor-----	74
11	Introduced, to committee, 31; returned by committee without action-----	75
12	Introduced, to committee, 31; returned by committee without action-----	75
13	Introduced, to committee, 31; from committee, 46; read second time, amended and re-referred to committee, 49; returned by committee without action-----	76
14	Introduced, to committee, 32; returned by committee without action-----	76
15	Introduced, to committee, 32; from committee, 46; read second time, amended and re-referred to committee, 49; returned by committee without action-----	76
16	Introduced, to committee, 32; from committee, 46; read second time, amended and re-referred to committee, 49; returned by committee without action-----	76
17	Introduced, to committee, 32; from committee, 46; read second time, amended and re-referred to committee, 49; returned by committee without action-----	76
18	Introduced, to committee, 32; returned by committee without action-----	76
19	Introduced, to committee, 33; from committee, 46; read second time, amended and re-referred to committee, 50; returned by committee without action-----	76
20	Introduced, to committee, 36; returned by committee without action-----	76
21	Introduced, to committee, 41; returned by committee without action-----	76
22	Introduced, to committee, 42; returned by committee without action-----	76
23	Introduced, to committee, 42; returned by committee without action-----	76
24	Introduced, to committee, 42; returned by committee without action-----	76
25	Introduced, to committee, 42; returned by committee without action-----	76
26	Introduced, to committee, 42; returned by committee without action-----	76

No.

No.		Page
27	Introduced, to committee, 42; returned by committee without action-----	77
28	Introduced, to committee, 43; returned by committee without action-----	77
29	Introduced, to committee, 43; returned by committee without action-----	77
30	Introduced, to committee, 43; returned by committee without action-----	77
31	Introduced, to committee, 43; returned by committee without action-----	77
32	Introduced, to committee, 52; returned by committee without action-----	77
33	Introduced, to committee, from committee, 63; Constitution suspended, 65; read second time; urgency clause adopted, read third time, passed, to Assembly, 66; from Assembly, to enrollment, 73; to Governor-----	74

SENATE CONCURRENT RESOLUTIONS

1	Offered, considered without reference to committee, 22; read, adopted, to Assembly, 23; from Assembly, to enrollment, 26; to Governor-----	36
2	Offered, considered without reference to committee, read, adopted, to Assembly, 59; from Assembly, to enrollment, 73; to Governor-----	74

SENATE JOINT RESOLUTIONS

1	Offered, to committee, 22; from committee, 56; read, adopted, to Assem- bly, 57; from Assembly, to enrollment, 63; to Governor-----	74
2	Offered, to committee, 70; from committee, read, adopted, to Assem- bly, 71; from Assembly, to enrollment, 73; to Governor-----	71

SENATE RESOLUTIONS

1	Offered, 2; read, adopted-----	2
2	Offered, 2; read, adopted-----	2
3	Offered, 3; read, adopted-----	3
4	Offered, 3; read, adopted-----	3
5	Offered, 3; read, adopted-----	3
6	Offered, 3; read, adopted-----	3
7	Offered, 4; read, adopted-----	3
8	Offered, 4; read, adopted-----	4
9	Offered, 5; read, adopted-----	4
10	Offered, 5; read, adopted-----	5
11	Offered, 20; read, adopted-----	5
12	Offered, 26; read, adopted-----	20
13	No resolution-----	26
14	Offered, 64; read, adopted-----	64
15	Offered, 73; read, adopted-----	73
16	Offered, 74; read, adopted-----	74



CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY
FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Monday, May 13, 1940.

The Assembly met at ten o'clock a.m., pursuant to the provisions of the Proclamation of His Excellency, Culbert L. Olson, Governor of the State of California, dated May 10, 1940.

Announcement.

Jack Carl Greenburg, Chief Clerk of the Assembly, announced that, pursuant to the requirements of the Political Code, section 237, the following officers of the Assembly of the fifty-third (extraordinary) session of the Legislature were present and in their respective positions: Jack Carl Greenburg, Chief Clerk; David V. Oliver, Minute Clerk, and Wilkie Ogg, Sergeant-at-Arms.

Roll Call of Members.

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Garland, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kepple, Kilpatrick, King, Knight, Kuehel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Reaves, Richie, Robertson, Rosenthal, Salsman, Sawalliseh, Seuder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, and Yorty—76.

Quorum present.

Leave of Absence for the Second Extraordinary Session.

On motion of Mr. Field, Mr. Redwine was granted a leave of absence for the fifty-third (second extraordinary) session.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Poulson, on motion of Mr. Waters.

Mr. Kellems, on motion of Mr. Waters.

Resolutions.

House Resolution No. 1.

By Mr. Desmond:

Resolved by the Assembly of the State of California, That the following named persons constitute the officers of the Assembly for the fifty-third (second extraordinary) session, with the per diem as fixed by statute:

Hon. Gordon H. Garland-----	Speaker
Hon. Gardiner Johnson-----	Speaker Pro Tempore
Jack Carl Greenburg-----	Chief Clerk
David V. Oliver-----	Minute Clerk
Wilkie Ogg-----	Sergeant-at-Arms
Rev. Raymond Lull Bailey-----	Chaplain

House Resolution No. 1 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Garland, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor, Millington, O'Day, O'Donnell, Pelletier, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Tenney, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Wollenberg, and Yorty—63.

NOES—Collins—1.

Oaths of Office Administered.

Hon. Gordon H. Garland, Speaker elect, Hon. Gardiner Johnson, Speaker Pro Tempore elect, Jack Carl Greenburg, Chief Clerk elect, and Wilkie Ogg, Sergeant-at-Arms elect, took and subscribed to the following oath administered by Hon. Chas. J. Hagerty, Deputy Secretary of State.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office to which I have been elected to the best of my ability.

Prayer.

Prayer was offered by Rev. Raymond Lull Bailey, Chaplain of the Assembly for the fifty-third (second extraordinary) session.

Proclamation of the Governor Ordered Printed in the Journal.

On motion of Mr. Lyon, the Proclamation of the Governor was ordered printed in the Journal.

Proclamation.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened; now, therefore,

I, Culbert L. Olson, Governor of the State of California, by virtue of the power and authority in me vested by section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Monday, the 13th day of May, one thousand nine hundred and forty, at 10 o'clock a.m. of said day, for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon legislation making an additional appropriation to the Reclamation Board for construction, land, rights of way, easements, and general administrative operations and overhead, in augmentation of the appropriation made by Item 206 of the Budget Act of 1939.

2. To consider and act upon legislation making an appropriation for the Emergency Fund created by Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate, and prevent such damage and destruction.

3. To consider and act upon legislation to provide for the acquisition and construction, maintenance and operation of a system of works for the control, storage, conservation and utilization of the waters of the Napa River and its tributaries.

4. To consider and act upon legislation making an appropriation to the Department of Natural Resources for forest fire suppression and prevention.

5. To rescind the action of the Legislature in adopting Senate Constitutional Amendment No. 9, Resolutions Chapter 119 of the Statutes of 1939.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of May, A. D., one thousand nine hundred and forty.

PAUL PEEK,
Secretary of State.

CULBERT L. OLSON,
Governor of California.

Resolutions.

House Resolution No. 2.

By Mr. Field:

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a committee of three to inform the Senate that the Assembly is in session, pursuant to the proclamation of His Excellency, the Governor, dated the tenth day of May, 1940, and ready for the transaction of legislative business, with the following officers, to-wit:

Hon. Gordon H. Garland	Speaker
Hon. Gardiner Johnson	Speaker Pro Tempore
Jack Carl Greenburg	Chief Clerk
David V. Oliver	Minute Clerk
Wilkie Ogg	Sergeant-at-Arms
Rev. Raymond Lull Bailey	Chaplain

House Resolution No. 2 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No. 2, the Speaker announced the appointment of Messrs. Field, Robertson and Phillips as such Special Committee.

House Resolution No. 3.

By Mr. Turner:

Resolved by the Assembly of the State of California, That a special committee of five be appointed to wait upon His Excellency, the Governor, and inform him that the Assembly is organized and awaits any communication he may have to make to it.

House Resolution No. 3 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No. 3, the Speaker appointed Messrs. Clarke, Turner, Gallagher, Burson and Voigt as such Special Committee.

Committee From the Senate.

Senators Mayo and McBride appeared before the bar of the Assembly, and announced that the Senate had organized, and was now ready to proceed with the regular business.

Resolutions.

House Resolution No. 4.

By Mr. Desmond:

Resolved by the Assembly of the State of California, That until further notice the Standing Rules of the first extraordinary session which convened on January 29, 1940, be and the same are hereby adopted as the rules of this second extraordinary session convened on May 13, 1940.

House Resolution No. 4 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Doyle, Evans, Fulcher, Gannon, Gilbert, Gilmore, Green, Heisinger, Houser, Johnson, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor, Millington, O'Day, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thurman, Walker, Waters, Watson, Weber, Wollenberg, Yorty, and Mr. Speaker—58.

NOES—None.

Standing Rules of the Assembly for the Fifty-third (Second Extraordinary) Session.

Hours of Meeting.

1. The session of Assembly, prior to the constitutional recess, shall be daily, beginning at ten o'clock a.m., (Sundays excepted) unless otherwise ordered by a majority vote of the members present.

Following the constitutional recess, the Assembly shall meet promptly at two o'clock p.m., daily (Sundays excepted) and Mondays at the hour of eleven o'clock a.m., unless otherwise ordered by a majority vote of the members present.

Speaker to Call Assembly to Order.

2. The Speaker, or in his absence, the Speaker pro tempore, shall take the Speaker's chair precisely at the hour appointed for meeting, and shall immediately call the Assembly to order. In the absence of both the Speaker and the Speaker pro tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary chairman shall be elected from among the members to preside.

Roll Call and Quorum.

3. Before proceeding with the business of the Assembly, the roll of the members shall be called, and the names of those present shall be entered on the Journal. A majority of all the members elected to the Assembly shall constitute a quorum for the transaction of business.

Order of Business.

4. The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Reports of Committees
6. Messages from the Governor
7. Messages from the Senate
8. Introduction and Reference of Bills
9. Business on the Daily Calendar
10. Motions and Resolutions
11. Announcements
12. Adjournment.

Reading of the Previous Day's Journal.

5. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

Approval of the Journal.

6. All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days from the date of such Journal. Such corrected Journals may thereafter be approved by a majority vote of the members present.

Motion to Correct Journal.

7. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

Presentation of Petitions.

8. Whenever petitions, memorials or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of

receipt of such presentation and its disposition shall be entered on the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

Reports of Committees.

9. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant. They shall be read and ordered printed on the Journal unless it is ordered otherwise by the Speaker or by a majority vote of the members present.

Messages from the Governor.

10. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

Messages from the Senate.

11. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which reference shall be entered on the Journal. Assembly bills which have been passed without amendment by the Senate, shall be ordered to enrollment.

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business calendar.

Bills Defined.

12. Wherever the word bill is used, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided for in these rules.

Introduction and Reference of Bills.

13. In each legislative session on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk. When received at the Clerk's desk, it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

Bills and constitutional amendments shall not be read the first time or printed until after the Legislative Counsel has reported thereon as provided by Rule 14.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Introduction of Bills.

14. When a bill or constitutional amendment has been introduced and numbered, and before it is read the first time, it shall be delivered by the Clerk to the Legislative Counsel for examination and report as to whether it appears to be within the scope of the proclamation of the Governor calling the extraordinary session. The Legislative Counsel shall report as to each such measure as promptly as may be, and prior to the end of the next legislative day, returning the measure with the report to the Clerk and transmitting a copy of the report to the author of the measure.

The report shall state briefly and without detail whether the measure appears to be within or without the scope of the proclamation, or whether the matter is doubtful.

The report of the Legislative Counsel shall not be binding upon the Assembly nor preclude further consideration of any measure, nor shall it prevent an objection being subsequently made that such measure, or any amendment made or offered thereto, is not within the scope of the proclamation.

Examining of Bills by Legislative Counsel Bureau.

15. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

Daily Calendar.

16. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present.

Motions and Resolutions.

17. Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

Adjournment.

18. Adjournment for the constitutional recess or adjournment *sine die* shall be ordered by concurrent resolution. The resolution for adjournment *sine die* shall be adopted by the Assembly not less than seven days before the date set therein for such adjournment.

Duties of Assembly Officers.

Duties of the Speaker.

19. The Speaker shall possess the powers and perform the duties herein prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers and bills of the Assembly.

(h) To act as chairman of the Committee of the Whole.

(i) To order the lobby and gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants and subpoenas issued by order of the Assembly.

Duties of the Speaker Pro Tempore.

20. The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk.

21. The duties of the Chief Clerk shall be as follows:

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized.

(d) To read or allow his assistants to read from the desk only such matter as the Speaker of the Assembly shall direct.

(e) To have general supervision over all clerks, attaches and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties.

(f) To suspend temporarily any clerk, attache or employee for incompetency or dereliction of duty, pending action by the Committee on Attaches.

(g) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

Duties of the Sergeant-at-Arms.

22. The duties of the Sergeant-at-Arms shall be as follows:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all processes issued by authority of the Assembly and directed by the Speaker; he shall receive his actual expenses for himself or for an assistant when executing any such process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these rules.

(c) To have general supervision over the Assistant Sergeants-at-Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To suspend temporarily any assistant Sergeant-at-Arms for incompetency or dereliction of duty, pending action by the Committee on Attaches.

(e) To execute all commands of the Speaker.

(f) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

Members' Decorum and Privileges.

Order in Speaking to Questions.

23. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding except that the author of a bill or resolution, or the mover of a question shall have the right to close the debate thereon. No member shall be allowed to speak more than ten minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

Speaker to Decide Who Is Entitled to Floor.

24. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

Members Called to Order for Transgressing Rules.

25. If any member in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately take his seat, unless permitted to explain; if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly.

Members Called to Order for Offensive Words.

26. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

Members Voting.

27. Every member at his desk when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

A member may submit a written explanation of his vote on any bill or house resolution, and have such explanation printed on the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length.

Ayes and Noes.

28. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or *viva voce* when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

Voting Not to Be Interrupted.

29. When once begun, voting shall not be interrupted, except that any member may have the total pending vote flashed on the visible vote recorder and except that any member may move a call of the Assembly, after the completion of the roll and prior to the final recording and announcement of the vote.

Changing Vote.

30. Prior to the announcement of the vote, the Speaker shall inquire if all members have voted. After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded.

Members at Clerk's Desk.

31. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

Tie Vote.

32. In case of an equal division, or tie vote, the question shall be lost.

Call of the Assembly.

33. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call. Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter of business by unanimous consent. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

Leave of Absence.

34. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence or be excused for nonattendance, except by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

Personal Privilege.

35. Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjourn.

Objection to Reading of Any Paper.

36. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

Assignment of Desks to Members.

37. Members shall be assigned to desks by the Superintendent of Capitol Buildings and Grounds, and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

Motions and Questions.

Precedence of Motions During Debate.

38. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;

Second—To recess to a time certain;

Third—To lay on the table;

Fourth—For the previous question;

Fifth—To set as a special order;

Sixth—To postpone indefinitely;

Seventh—To refer or re-refer;

Eighth—To amend.

Questions of Order Decided Without Debate.

39. All incidental questions of order, arising after a motion is made for any of the questions named in Rule No. 38 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal from Decision of the Speaker.

40. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business. A majority vote of the members present shall decide any appeal.

To Adjourn.

41. A motion to adjourn is not debatable and can not be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

To Recess to a Time Certain.

42. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table.

43. A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the entire elected membership, it carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint or house resolution.

The Previous Question.

44. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the house to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order.

45. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members elected. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain.

46. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely.

47. When a motion is made to postpone indefinitely any bill, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire membership, the main question shall not be acted upon again during the session.

Motion to Amend.

48. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

Amendment to Be Germane.

49. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

Substitute Motion.

50. A motion to substitute shall be deemed and treated as a motion to amend.

Motions in Writing.

51. Upon request of the Speaker all motions shall be reduced to writing and shall be read by the Speaker before the same are acted upon.

Consideration of Motions.

52. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

Division of Questions.

53. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Resolutions.

54. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All house resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

Withdrawal of Motions.

55. After a motion is stated by the Speaker, or a bill, resolution or petition read by the clerk, it shall be deemed to be in the possession of the Assembly.

Motion to Be Germane.

56. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

Bills Reported Back to Assembly.

57. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule.

Motion to Withdraw and Recall Bills.

58. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee

may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference.

No bill or resolution shall be withdrawn from committee and placed upon the Calendar except upon one day's notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken from Calendar.

59. A motion to strike from the Calendar any bill or House Resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

Motion to Rescind Action and Expunge Record.

60. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Reference of Bills to Committee.

61. Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable. Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

Record of Bills.

62. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be indorsed upon such bill.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions.

63. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

Second Reading of Bills.

64. All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading.

Committee Amendments.

65. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

Amendments from the Floor.

66. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed. The Chief Clerk shall order printed not to exceed 1000 copies of all amended bills.

Committee on Engrossment and Enrollment.

67. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Engrossment and Enrollment shall be in order at any time.

Engrossing and Enrolling Bills.

68. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the Assembly.

Bills Transmitted to the Senate.

69. Upon the final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

Bills Considered During Last Seven Days.

70. No Assembly bill shall be passed by the Assembly within seven calendar days previous to the time set for adjournment *sine die* of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of the entire elected membership of the Assembly.

Concurrence in Senate Amendments.

71. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation sub-

ject to reduction or elimination under the provisions of section 34a of Article IV of the Constitution. The vote on concurrence or upon the adoption of such free conference report of the Assembly shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Nonconcurrence in Senate Amendments.

72. If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

Committee on Free Conference.

73. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any free conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any free conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such free conference report by the Assembly shall be deemed the vote upon final passage of such bill.

Enrollment.

74. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

Committees.*Standing Committees.*

75. The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of 17 members.
2. A Committee on Attaches, to consist of 7 members.
3. A Committee on Aviation and Aircraft, to consist of 11 members.
4. A Committee on Banking, to consist of 9 members.
5. A Committee on Building and Construction, to consist of 7 members.
6. A Committee on Building and Loan Associations, to consist of 7 members.
7. A Committee on Civil Service, to consist of 9 members.
8. A Committee on Commerce and Navigation, to consist of 9 members.
9. A Committee on Conservation, to consist of 9 members.
10. A Committee on Constitutional Amendments, to consist of 13 members.
11. A Committee on Contested Elections, to consist of 5 members.
12. A Committee on Contingent Expenses, to consist of 5 members.
13. A Committee on Corporations, to consist of 9 members.
14. A Committee on County Government, to consist of 15 members.
15. A Committee on Crime Problems, to consist of 7 members.
16. A Committee on Direct Legislation, to consist of 7 members.
17. A Committee on Education, to consist of 13 members.
18. A Committee on Elections, to consist of 11 members.
19. A Committee on Engrossment and Enrollment, to consist of 5 members.
20. A Committee on Exhibitions and Fairs, to consist of 7 members.
21. A Committee on Federal Relations, to consist of 7 members.
22. A Committee on Financial Institutions (other than banking and building and loan associations), to consist of 7 members.
23. A Committee on Fish and Game, to consist of 15 members.
24. A Committee on Governmental Efficiency and Economy, to consist of 11 members.
25. A Committee on Governmental Revenues and Expenditures, to consist of 5 members.
26. A Committee on Hospitals and Asylums, to consist of 11 members.
27. A Committee on Insurance, to consist of 11 members.
28. A Committee on Introduction of Bills, to consist of 5 members.
29. A Committee on Irrigation, to consist of 17 members.
30. A Committee on Judiciary Codes, to consist of 17 members.
31. A Committee on Judiciary General, to consist of 15 members.
32. A Committee on Labor and Capital, to consist of 13 members.
33. A Committee on Libraries, to consist of 5 members.

34. A Committee on Live Stock and Dairies, to consist of 9 members.
35. A Committee on Manufactures, to consist of 7 members.
36. A Committee on Medical and Dental Laws, to consist of 9 members.
37. A Committee on Mileage, to consist of 5 members.
38. A Committee on Military Affairs, to consist of 9 members.
39. A Committee on Mines and Mining, to consist of 9 members.
40. A Committee on Motor Vehicles, to consist of 15 members.
41. A Committee on Municipal Corporations, to consist of 13 members.
42. A Committee on Oil Industries, to consist of 9 members.
43. A Committee on Prisons and Reformatories, to consist of 11 members.
44. A Committee on Public Charities and Corrections, to consist of 9 members.
45. A Committee on Public Health and Quarantine, to consist of 9 members.
46. A Committee on Public Morals, to consist of 11 members.
47. A Committee on Public Utilities, to consist of 11 members.
48. A Committee on Revenue and Taxation, to consist of 15 members.
49. A Committee on River Navigation, Reclamation and Flood Control, to consist of 13 members.
50. A Committee on Roads and Highways, to consist of 15 members.
51. A Committee on Rules, to consist of 7 members, including the Speaker.
52. A Committee on Social Service and Welfare, to consist of 15 members.
53. A Committee on Soldiers and Sailors Affairs, to consist of 13 members.
54. A Committee on State Grounds and Parks, to consist of 7 members.
55. A Committee on State Colleges, to consist of 7 members.
56. A Committee on Unemployment, to consist of 7 members.
57. A Committee on Universities, to consist of 7 members.
58. A Committee on Ways and Means, to consist of 21 members.

Committee Quorum.

76. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

Meetings of Standing Committees.

77. All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its entire membership shall order an executive session.

Standing Committee Rules.

78. The Rules of the Assembly shall govern the conduct of all committee meetings whenever practicable. Each committee may adopt, by a majority vote of its entire membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

Signing Bills Out of Committee.

79. No bills shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee Expenditures.

80. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the Chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

Committee on Attaches.

81. The Committee on Attaches shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

Committee on Ways and Means.

82. The Committee on Ways and Means shall consider all bills to appropriate money, other than contingent expenses of the Assembly, and other than bills affecting existing departments of State government which do not increase or decrease the salaries or expenses of such departments.

Whenever requested by the Assembly, the Chairman of the Committee on Ways and Means shall report the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee. The committee may also report whenever necessary, their opinion as to the condition of the State revenues and expenditures.

Committee of the Whole.

83. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole. The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, except that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order, and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on

the Journal except upon motion and a majority vote of the members present.

Reconsideration of Vote.

84. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the Unfinished Business Calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly. The notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, concurrent or joint resolution has been given.

Any member voting on any motion, amendment, concurrence, recedence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected Assembly membership, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of the entire Assembly elected membership.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previos to its being voted upon.

Printing.

Authority for Printing.

85. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed

matter completed in advance of its regular order by the issuance of a rush order.

Printing Style, Form and Amount to Be Printed.

86. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on Rules. All requests by members for additional copies of bills, documents or other printed matter shall be referred to the Committee on Rules.

Printing Assembly History.

87. The Chief Clerk shall cause to be compiled and printed during the constitutional recess, a Legislative Handbook and a Semi-Final Assembly History, together with an index, setting forth a complete History showing all actions on bills, constitutional amendments, concurrent, joint and house resolutions prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceeding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceeding Weekly History.

Printing of Maps.

88. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership

Rules.

Adoption of Standing Rules.

89. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the entire elected membership. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these rules.

Parliamentary Rules.

90. Roberts Rules of Order shall be the recognized authority on all occasions when the Assembly Rules are not applicable.

Suspension of Rules.

91. Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules.

92. No standing rule of the Assembly shall be amended except by an affirmative recorded vote of a majority of the entire elected membership of the Assembly and one day's notice must be given on the motion thereof.

Temporary Rule.

93. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall have the effect for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

Miscellaneous.*Press Privileges.*

94. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

Privilege of Addressing the Assembly.

95. No person other than a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

Smoking in Assembly Chamber.

96. Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

Fees for Witnesses.

97. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination.

Use of Assembly Chamber.

98. The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

Persons Admitted to Floor of the Assembly.

99. No persons other than members, officers, attaches, employees of the Legislature, former members of the Legislature, and accredited members of the press, shall be admitted to the floor of the Assembly during any session of the Assembly; provided, that a guest of any member shall be admitted, upon presentation of a guest card of said member, countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued.

All guests shall be seated only in the chairs in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the

press desks. A special section in the balcony shall be reserved for those holding guest cards.

Lobbying in the Assembly Chamber.

100. All persons appearing, or being, or desiring to appear, or be, at or in the Assembly Chamber, or at or in any committee room of the Assembly for the purpose of advocating the adoption, or defeat of any bill, measure, or resolution, introduced in, pending before, or being considered by the Assembly, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Assembly upon any such bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

This rule shall not apply to members of either house of the Legislature, to elected State officers, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person shall appear at or enter the Assembly Chamber, or any committee room of the Assembly, for the purpose of advocating the adoption or defeat of any bill, measure or resolution, without first having registered and secured the certificate, as herein provided.

No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire elected membership of the Assembly.

Speaker Explains Order of Business.

101. The Speaker may, on his own motion or upon the motion of any member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

Admission to Assembly Chamber.

102. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

Resolution.

House Resolution No. 5.

By Mr. Desmond:

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a committee of three to confer with a committee of the Senate for the purpose of determining and reporting to the Assembly and to the Senate their recommendations as to the procedure to be followed by the two houses of the Legislature in considering the subjects of legislation proposed by the Proclamation convening this second extraordinary session; and, be it further

Resolved, That the Senate is hereby requested to appoint a like committee for the aforesaid purpose; and, be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Senate.

House Resolution No. 5 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No. 5, the Speaker appointed Messrs. Desmond, Lyon and Fulcher as such Special Committee.

Appointment of Standing Committees.

The Speaker announced the appointment of the following Standing Committees of the Assembly, Fifty-third (Second Extraordinary) Session:

Agriculture—Corwin (Chairman), Burns, Hugh M., Clarke, Daley, Desmond, Dilworth, Donnelly, Heisinger, Knight, Leonard, Lore, Millington, Robertson, Scudder, Thorp, Walker and Watson.

Attaches—Voigt, (Chairman), Allen, Desmond, Fulcher, Lyon, Stream and Watson.

Aviation and Aircraft—Green (Chairman), Corwin, Cronin, Field, Kellems, King, Poulson, Reeves, Redwine, Tenney and Williamson.

Banking—Williamson (Chairman), Bennett, Crowley, Gallagher, Green, Lyon, Meehan, Millington and Redwine.

Building and Construction—Heisinger (Chairman), Atkinson, Lore, Meehan, Reeves, Salsman and Weber.

Building and Loan—Poulson (Chairman), Bennett, Crowley, Doyle, Houser, Pelletier and Tenney.

Civil Service—Sheridan (Chairman), Crowley, Donnelly, Evans, Gallagher, Gannon, Houser, Leonard and O'Donnell.

Commerce and Navigation—Maloney (Chairman), Atkinson, Gallagher, Gilmore, King, Leonard, Miller, George P., Sheridan and Weber.

Conservation—Knight (Chairman), Bashore, Kilpatrick, Redwine, Thurman, Walker, Weber and Weybret.

Constitutional Amendments—Call (Chairman), Bennett, Fulcher, Gannon, Hawkins, King, Lyon, Maloney, Pelletier, Scudder, Tenney, Williamson and Wollenberg.

Contested Elections—Massion (Chairman), Burson, Gilbert, Burns, Michael J., and Weybret.

Contingent Expenses—Hawkins (Chairman), Fulcher, Gilbert, Leonard and Burns, Michael J.

Corporations—Carlson (Chairman), Burns, Michael J., Cassidy, Collins, Doyle, Hawkins, Heisinger, Salsman and Thurman.

County Government—Bashore (Chairman), Andreas, Carlson, Clarke, Collins, Cronin, Crowley, Desmond, Gilmore, Kilpatrick, Kuchel, Meehan, O'Day, Reeves and Sawallisch.

Crime Problems—Richie (Chairman), Atkinson, Doyle, Gilmore, Kellems, Miller, Eleanor; and Wollenberg.

Direct Legislation—Redwine (Chairman), Collins, Crowley, Del Mutolo, Phillips, Waters and Wollenberg.

Education—Leonard (Chairman), Del Mutolo, Dills, Evans, Gilbert, Green, Johnson, Miller, Eleanor; Richie, Robertson, Sawallisch, Weber and Williamson.

Elections—Del Mutolo (Chairman), Cassidy, Collins, Evans, Gilmore, Maloney, O'Day, Reeves, Sheridan, Voigt and Waters.

Engrossment and Enrollment—Cassidy (Chairman), Burns, Michael J., Heisinger, Johnson and Kuchel.

Exhibitions and Fairs—Dilworth (Chairman), Doyle, Leonard, Miller, George P., Rosenthal, Thorp and Walker.

Federal Relations—Phillips (Chairman), Andreas, Carlson, Cassidy and Evans.

Financial Institutions—Lyon (Chairman), Dills, Johnson, King, Turner, Williamson and Yorty.

Fish and Game—Watson (Chairman), Allen, Call, Carlson, Fulcher, Gallagher, King, Kuchel, Miller, George P., Redwine, Robertson, Salsman, Scudder, Thurman and Voigt.

- Governmental Efficiency and Economy**—Field (Chairman), Allen, Cronin, Gilbert, Lore, Miller, Eleanor; O'Donnell, Poulson, Stream and Turner.
- Governmental Revenues and Expenditures**—Salsman (Chairman), Green, Kepple, Pelletier and Wollenberg.
- Hospitals and Asylums**—Burson (Chairman), Andreas, Cassidy, Corwin, Daley, Knight, Maloney, Miller, Eleanor; O'Day, Scudder and Voigt.
- Insurance**—Scudder (Chairman), Cronin, Desmond, Gallagher, Hawkins, Maloney, Meehan, Miller, George P., Robertson, Salsman and Sawallisch.
- Irrigation**—Walker (Chairman), Clarke, Corwin, Desmond, Donnelly, Heisinger, Kilpatrick, Lore, Massion, O'Donnell, Pelletier, Stream, Thorp, Weber, Weybret and Del Mutolo.
- Judiciary Codes**—Gannon (Chairman), Call, Carlsson, Crowley, Del Mutolo, Desmond, Green, Kepple, Kuchel, Millington, O'Donnell, Redwine, Robertson, Sawallisch, Sheridan, Williamson and Wollenberg.
- Judiciary General**—Bennett, Collins, Cronin, Dills, Houser, Johnson, Lyon, O'Day, Richie, Rosenthal, Salsman, Waters and Yorty.
- Labor and Capital**—Yorty (Chairman), Gilbert, Kilpatrick, Maloney, Hawkins, Evans, Pelletier, Phillips, Reaves, Richie, Rosenthal, Tenney and Williamson.
- Live Stock and Dairies**—Weybret (Chairman), Clarke, Cassidy, Desmond, Dills, Donnelly, Heisinger, Sawallisch and Thorp.
- Medical and Dental Laws**—Cronin (Chairman), Burns, Hugh M., Corwin, Gilmore, Kellems, Knight, Massion, Rosenthal and Richie.
- Libraries**—Clarke (Chairman), Dills, Kuchel, Miller, Eleanor; and Poulson.
- Manufactures**—Thorp (Chairman), Carlson, Collins, Crowley, Maloney, Massion and Wollenberg.
- Mileage**—Waters (Chairman), Bashore, Gilbert, Meehan and Tenney.
- Military Affairs**—Miller, George P. (Chairman), Andreas, Call, Cronin, Dilworth, Gannon, Kellems, Tenney and Voigt.
- Mines and Mining**—Thurman (Chairman), Clarke, Corwin, Dilworth, Doyle, Fulcher, Johnson, Redwine and Turner.
- Motor Vehicles**—Fulcher (Chairman), Burson, Call, Clarke, Daley, Doyle, Field, Gallagher, Heisinger, Lore, Lyon, Pelletier, Phillips, Sawallisch and Waters.
- Municipal Corporations**—Kuchel (Chairman), Allen, Bennett, Daley, Green, Johnson, Massion, Phillips, Reaves, Salsman, Sheridan, Waters and Yorty.
- Oil Industries**—Houser (Chairman), Burson, Daley, Dills, Field, Kuchel, Millington, O'Donnell and Turner.
- Prisons and Reformatories**—Wollenberg (Chairman), Andreas, Atkinson, Burson, Cassidy, Evans, Gannon, Kilpatrick, Maloney, Miller, Eleanor; and Phillips.
- Public Charities and Corrections**—Bennett (Chairman), Atkinson, Burson, Carlson, Kilpatrick, Rosenthal, Scudder, Stream and Thurman.
- Public Health and Quarantine**—Burns, Hugh M. (Chairman), Field, Gilmore, King, Massion, Poulson, Tenney, Waters and Watson.
- Public Morals**—Miller, Eleanor (Chairman), Atkinson, Dilworth, Gannon, Gilbert, Houser, Knight, Meehan, Thorp and Watson.
- Public Utilities**—Allen (Chairman), Bashore, Burson, Call, Gannon, Hawkins, Knight, Millington, Phillips, Watson and Yorty.
- Revenue and Taxation**—Turner (Chairman), Allen, Call, Carlson, Daley, Dilworth, Fulcher, Kellems, Lyon, Sawallisch, Scudder, Voigt, Wollenberg and Yorty.
- River Navigation, Reclamation and Flood Control**—Weber (Chairman), Atkinson, Bashore, Burns, Hugh M., Clarke, Collins, Dilworth, Kepple, Kuchel, Leonard, Redwine, Thorp and Weybret.
- Roads and Highways**—Stream (Chairman), Allen, Andreas, Bashore, Del Mutolo, Fulcher, Gilmore, Leonard, Massion, Meehan, O'Day, Robertson, Sawallisch, Walker and Weybret.
- Rules**—Desmond (Chairman), Burns, Hugh M., Hawkins, Kepple, Lyon and Millington.
- Social Service and Welfare**—Daley (Chairman), Bashore, Yorty, Gallagher, Green, Heisinger, Houser, Johnson, Kepple, Lore, Millington, O'Day, Poulson, Watson and Weybret.
- Soldiers and Sailors Affairs**—Kepple (Chairman), Andreas, Atkinson, Del Mutolo, Donnelly, Houser, Kellems, Miller, George P., O'Donnell, Poulson, Rosenthal, Scudder and Walker.
- State Colleges**—Kellems (Chairman), Burns, Hugh M., Burns, Michael J., Richie, Robertson, Stream and Weybret.
- State Grounds and Parks**—Doyle (Chairman), Burns, Michael J., Donnelly, Leonard, Rosenthal, Stream and Thurman.
- Unemployment**—King (Chairman), Bennett, Houser, Kilpatrick, O'Donnell, Pelletier and Reaves.
- Universities**—Johnson (Chairman), Dills, Evans, Kellems, Richie, Sheridan and Waters.
- Ways and Means**—Millington (Chairman), Allen, Burns, Hugh M., Corwin, Donnelly, Field, Gannon, Hawkins, Kepple, Knight, Miller, Eleanor; Miller, George P., O'Day, Sheridan, Thurman, Turner, Voigt, Walker, Weber and Williamson.

Resolutions.

House Resolution No. 6.

By the Committee on Attaches:

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing May 13, 1940:

	Per Day
Rev. Raymond Bailey, Chaplain	\$4 00
Jack Carl Greenburg, Chief Clerk	10 00
David V. Oliver, Minute Clerk	9 00
Wilkie Ogg, Sergeant-at-Arms	8 00
C. W. Booth, Assistant Chief Clerk	9 00
Albert Day, Journal Clerk	7 00
Frank Reed, History Clerk	7 00
Lillian Larkin, Stenographer	5 00
John E. Fitzgerald, Assistant Sergeant-at-Arms	5 00
Michael Connolly, Assistant Sergeant-at-Arms	5 00
George Doering, Assistant Sergeant-at-Arms	5 00
Tom Lyons, Assistant Sergeant-at-Arms	5 00
William Davies, Assistant Sergeant-at-Arms	5 00
Ed. Nathan, Assistant Sergeant-at-Arms	5 00
Lee J. Hoffman, Assistant Sergeant-at-Arms	5 00
William Murphy, Chief Page	3 00
Harold McKenzie, Page	2 50
Louis Desmond, Page	2 50
Domingo Correa, Page	2 50

Resolved, further, That the compensation of the above named attaches shall be on a six-day per week basis, except the following, Chief Clerk, Assistant Chief Clerk, Minute Clerk and Sergeant-at-Arms, who shall receive compensation on a seven-day per week basis.

VOIGT, Chairman Attache Committee.

House Resolution No. 6 read, and adopted by the following vote:

AYES—Allen, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Doyle, Evans, Field, Fulcher, Gallagher, Gilbert, Gilmore, Green, Hawkins, Heisinger, Johnson, Kepple, Kilpatrick, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Reaves, Richie, Robertson, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Wollenberg, Yorty, and Mr. Speaker—43.

NOES—None.

House Resolution No. 7.

By Mr. Waters:

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Mileage one way	Distance from county seat, less	Total mileage	Amount at 5 cents per mile
1	Michael J. Burns	Eureka, Humboldt County	312	--	--	--	624	\$31 20
2	Clinton J. Fulcher	Lookout, Modoc County	324	--	44	280	560	28 00
3	John H. O'Donnell	Woodland, Yolo County	23	--	--	--	46	2 30
4	Seth Millington	Gridley, Butte County	86	--	14	72	144	7 20
5	Ernest C. Crowley	Suisun, Solano County	48	--	--	--	96	4 80
6	Allen G. Thurman	Colfax, Placer County	37	17	--	54	108	5 40
7	Hubert B. Scudder	Sebastopol, Sonoma County	90	7	--	97	194	9 70

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
8	Chester F. Gannon	Sacramento, Sacramento County	---	---	---	---	---	---
9	Earl D. Desmond	Sacramento, Sacramento County	---	---	---	---	---	---
10	Harold F. Sawallisch	Richmond, Contra Costa County	62	22	---	81	168	\$8 40
11	Charles M. Weber	Stockton, San Joaquin County	48	---	---	---	96	4 80
12	James E. Thorp	Lockeford, San Joaquin County	48	---	3	45	90	4 50
13	James M. Cassidy	Oakland, Alameda County	81	---	---	---	168	8 40
14	George P. Miller	Alameda, Alameda County	84	5	---	89	178	8 90
15	Bernard A. Sheridan	Oakland, Alameda County	84	---	---	---	168	8 40
16	Arthur W. Carlson	Piedmont, Alameda County	84	---	---	---	168	8 40
17	Henry P. Meehan	Oakland, Alameda County	84	---	---	---	168	8 40
18	James H. Phillips	Oakland, Alameda County	84	---	---	---	168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	81	---	1	83	166	8 30
20	Thomas A. Maloney	San Francisco, San Francisco County	90	---	---	---	180	9 00
21	Joseph P. Gilmore	San Francisco, San Francisco County	90	---	---	---	180	9 00
22	George D. Collins, Jr.	San Francisco, San Francisco County	90	---	---	---	180	9 00
23	Dan Gallagher	San Francisco, San Francisco County	90	---	---	---	180	9 00
24	Edward F. O'Day	San Francisco, San Francisco County	90	---	---	---	180	9 00
25	Melvyn L. Cronin	San Francisco, San Francisco County	90	---	---	---	180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90	---	---	---	180	9 00
27	Albert C. Wollenberg	San Francisco, San Francisco County	90	---	---	---	180	9 00
28	Robert Miller Green	San Francisco, San Francisco County	90	---	---	---	180	9 00
29	Harrison W. Call	Redwood City, San Mateo County	119	---	---	---	238	11 90
30	Byrl R. Salsman	Palo Alto, Santa Clara County	128	18	---	146	292	14 60
31	M. G. Del Muto	San Jose, Santa Clara County	128	---	---	---	256	12 80
32	Hugh P. Donnelly	Turlock, Stanislaus County	77	14	---	91	182	9 10
33	George A. Clarke	LeGrand, Merced County	111	15	---	129	258	12 90
34	Jacob M. Leonard	Hollister, San Benito County	173	---	---	---	346	17 30
35	Fred Weybret	Soledad, Monterey County	208	24	---	232	464	23 20
36	Hugh M. Burns	Fresno, Fresno County	169	---	---	---	338	16 90
37	S. L. Helsing	Fresno, Fresno County	169	---	---	---	338	16 90
38	Gordon H. Garland	Woodlake, Tulare County	206	16	---	222	444	22 20
39	Alfred W. Robertson	Santa Barbara, Santa Barbara County	460	---	---	---	920	46 00
40	Rosecoe W. Burson	Fillmore, Ventura County	490	27	---	517	1034	51 70
41	Rodney L. Turner	Delano, Kern County	278	---	30	248	496	24 80
42	Elmer E. Lore	North Hollywood, Los Angeles County	447	---	---	---	894	44 70
43	C. Don Field	Glendale, Los Angeles County	447	---	10	437	874	43 70
44	John B. Pelletier	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
45	Thomas J. Doyle	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
46	Jack B. Tenney	Ingewood, Los Angeles County	417	10	---	457	914	45 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13	---	460	920	46 00
48	T. Fenton Knight	La Canada, Los Angeles County	447	16	---	463	926	46 30
49	Lee T. Bashore	Glendora, Los Angeles County	447	26	---	473	946	47 30
50	Gerald C. Kipple	Whittier, Los Angeles County	447	15	---	462	924	46 20
51	F. Ray Bennett	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
52	Ben Rosenthal	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
53	Frederick F. Houser	Alhambra, Los Angeles County	447	9	---	456	912	45 60
54	Wilbur F. Gilbert	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
56	Norris Poulson	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
57	Kent H. Redwine	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
58	Frank J. Waters, Jr.	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
59	Charles W. Lyon	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
60	Jesse Randolph Kellem	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
61	Ernest O. Voigt	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
62	Augustus F. Hawkins	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
63	Don A. Allen	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
64	Samuel W. Yorty	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
65	John W. Evans	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
66	Jack Masslon	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
67	Cecil R. King	Los Angeles, Los Angeles County	447	---	---	---	894	44 70
68	Fred Reeves	San Pedro, Los Angeles County	417	23	---	470	940	47 00
69	Ralph C. Dills	Compton, Los Angeles County	447	18	---	465	930	46 50
70	Maurice E. Atkinson	Long Beach, Los Angeles County	447	22	---	469	938	46 90
72	Godfrey A. Andreas	Pland, San Bernardino County	508	22	---	530	1060	53 00
73	Gordon W. Corwin	Redlands, San Bernardino County	508	9	---	517	1034	51 70
74	Clyde A. Watson	Orange, Orange County	481	---	---	---	962	48 10
75	Thomas A. Kuchel	Anaheim, Orange County	481	7	---	488	976	48 80
76	Nelson S. Dilworth	Hemet, Riverside County	512	34	---	546	1092	54 60
77	Clarence R. Walker	Westmorland, Imperial County	661	---	22	639	1278	63 90
78	Jeanette E. Daley	San Diego, San Diego County	573	---	---	---	1146	57 30
79	Paul A. Riehe	San Diego, San Diego County	573	---	---	---	1146	57 30
80	Charles W. Stream	Palm City, San Diego County	573	13	---	586	1172	58 60

Name	Address	Distance from county seat	Distance from county seat, more	Mileage one way	Total mileage	Amount at 10 cents per mile
Jack Carl Greenburg	Los Angeles, Los Angeles County	---	---	---	894	\$89 40
David V. Oliver	Merced, Merced County	---	---	---	228	22 80
Wilkie Ogg	Sacramento, Sacramento County	---	---	---	---	---

House Resolution No. 7 referred to Committee on Rules.

Senate Message.

SENATE CHAMBER, SACRAMENTO, May 13, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day elected the following statutory officers for this fifty-third (second extraordinary) session:

President Pro Tempore-----Jerrold L. Seawell
 Secretary of the Senate-----Joseph A. Beek
 Sergeant-at-Arms-----Joseph F. Nolan
 Minute Clerk-----James Boyd Garrison
 Chaplain-----A. Raymond Grant

J. A. BEEK, Secretary of Senate.
 By JOHN F. LEA, Assistant Secretary.

Communication Ordered Printed in Journal.

On motion of Mr. Field, the following communication was ordered printed in the Journal.

HOLLYWOOD, CALIFORNIA, April 29, 1940.

Hon. Gordon Garland, Speaker of the Assembly,
 State Capitol, Sacramento, California.

DEAR MR. SPEAKER: I am recently in receipt of a beautifully printed copy of a resolution wishing me a speedy recovery, adopted by the Assembly during the February Special Session. It was my hope to be present when the Legislature reconvened in May and to express my thanks to the members in person. However, due to circumstances beyond my control, I find it impossible to attend. Therefore, I wish to express through you my sincere appreciation to the members of the Assembly for passing this kind resolution, and to state my great regret that I cannot be present to take part in your deliberations.

With kind personal regards to you, Mr. Speaker, and to the rest of the Assembly members, Democrats and Republicans alike, Conservative, Liberal, and otherwise, I am

Sincerely yours,

KENT H. REDWINE.

Communication.

The Speaker announced the receipt of a communication from the Governor.

Motion to Read Governor's Communication.

Mr. Lore moved that the communication from the Governor be read.

Substitute Motion.

Mr. Call moved as a substitute motion, that the Governor's communication be printed in the Journal.

Substitute motion carried by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Burson, Call, Carlson, Clarke, Corwin, Cronin, Desmond, Dilworth, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Heisinger, Johnson, Kepple, Kuchel, Leonard, Lyon, Maloney, Meehan, Miller, Eleanor; Millington, O'Day, Pelletier, Phillips, Scudder, Stream, Tenney, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Wollenberg, Yorty, and Mr. Speaker—44.

NOES—Atkinson, Bennett, Cassidy, Collins, Crowley, Dills, Evans, Gilhert, Houser, Kilpatrick, Knight, Lore, Massion, Miller, George P., O'Donnell, Reaves, Richie, and Rosenthal—18.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 13, 1940.

To the Senate and Assembly of the State Legislature of California.

GREETINGS: Events occurring since the issuance by me of the Proclamation calling a special session of the Legislature on January 29th last, have produced conditions requiring another special session of the Legislature for the enactment of urgency legislation to meet conditions caused by those events. I, therefore, issued a proclamation calling for another special session fixing the time for its convening at ten o'clock a.m. on Monday, May 13, 1940. The subjects specifically submitted in this proclamation are the following:

First: To consider and act upon legislation making an additional appropriation to the Reclamation Board for construction, land, rights of way, easements, and general administrative operations and overhead, in augmentation of the appropriation made by Item 206 of the Budget Act of 1939.

An additional appropriation of \$1,900,000 is required for this purpose.

Briefly, the reasons for and conditions justifying this additional appropriation are as follows:

The extraordinary floods of the Sacramento River and its tributaries occurring in March and April of this year have done great damage to the river levees and other works of the Sacramento River Flood Control Project. These damages must be repaired before another flood season, in order to avert even worse and irreparable damages.

The Sacramento River Flood Control Project is a plan, now being prosecuted by the Federal and State governments and local interests, for the protection of the Sacramento Valley from the floods of the Sacramento River and its tributaries. The plan has as its coordinated purposes: First, flood control, making possible the maintenance of river levees and the forming of self-scouring river channels; second, the scouring out of mining debris which has accumulated in the river channels; and third, the restoration and maintenance of navigation.

The project has been under construction under the present plan since 1928. In your regular session of 1939 you appropriated \$1,211,570 for the State's share of the 1939-41 program thereunder. Because of the extraordinary floods referred to, the public welfare in the preparation for future flood seasons requires immediate enlargement of the 1939-41 program under this project.

Levee breaks in the recent floods occurred in levee sections not as yet constructed to standard specifications. The breaks occurring in these floods resulted in the inundation and consequent severe damage to some 350,000 acres of reclaimed land. Great difficulty was experienced in preventing further breaks and overtopping of levees that were not up to standard. This condition requires the completion of all programmed works for the 1939-41 construction season. To be effective, this work must be consummated before the next flood season.

The amount of the additional appropriation of \$1,900,000 which I recommend is based upon surveys and recommendations of the State Reclamation Board and the California Debris Commission.

Attention is called to existing Federal requirements which stipulate that the State's share of participation in this project must be transmitted to the Treasurer of the United States before contracts may be let by the California Debris Commission. In addition, there is required a thirty-day period of advertising the contracts for bids. It should also be noted that time is needed for the Reclamation Board staff to secure the necessary rights of way and borrow areas before construction can commence.

The State funds appropriated by you should be made available not later than June 1, 1940. This would enable bids to be opened on the largest and most urgent items of construction on or about June 20th, and successful bidders probably would start actual construction early in July.

The total yardage that should be placed in levee sections before next flood season is approximately 9,400,000 cubic yards on about 70 miles of levee.

The recent disastrous floods have eroded and weakened Sacramento River Flood Control Project levees to such an extent that the necessary funds must be made immediately available so that these protective works can be reconstructed and restored to standard specifications before the next flood season. The lives and property of over 250,000 inhabitants in an area exceeding 1,000,000 acres of highly developed agricultural land are exposed to a repetition of devastating floods that might again result in tremendous loss of life and property.

These levees also safeguard a large public investment in State and county highways and other public works in the counties of Butte, Colusa, Glenn, Sacramento, Solano, Sutter, Yolo and Yuba.

Second: The next and related subject included in the Proclamation calling this special session is an appropriation to the Emergency Fund created by Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction.

The unusually heavy rains and floods occurring in the months of February, March and early April of this year were particularly disastrous in most of Northern California. The first and greatest flood occurred from February 25th to March 2d, when as much as twenty inches of rain fell in a five-day period and the resulting floods were in many places higher than any known record. Ten lives were lost, a thousand square miles of land flooded, and damages amounting to about twelve million dollars occasioned. A report covering the effect of this flood in detail and itemizing the damage, both by location and character, was prepared by the Department of Public Works and submitted to me on March 18th. Reference is made to this report for a full description of this flood and the ensuing damage.

Great distress has been occasioned by this flood emergency, and widespread appeals have been made for State and Federal assistance. The Federal Government has responded by making WPA funds available, by disaster loans, by easing of Federal Land Bank payments, and in other ways. The State is expending \$60,000 from the Emergency Fund in the closing of the more critical levee breaks, and has set aside an additional \$2,000,000 from the Emergency Fund for flood damage restoration work. Applications for State assistance totaling about two million dollars have been received.

There is ample precedent for such assistance. Following the storms and floods of the winter of 1937-1938, when flood damage in large amount occurred in most parts of California, the Legislature in special session in March, 1938, appropriated five million dollars for flood damage restoration, which sum has practically all been allocated and expended under close technical and financial supervision by the State. Following the precedent established in 1938 in extending State assistance, in communities damaged by floods and which are unable themselves to carry on the work of rehabilitation, State assistance is necessary and justified.

All applications for State assistance are being investigated in the field by Department of Public Works engineers, and reports on many are completed. An estimate of the appropriation to the Emergency Fund necessary to meet this State obligation fairly and properly, using the 1938 criteria as to eligibility will be furnished me by the Department of Public Works within a day or two. This will be duly transmitted to you with my recommendation as to the amount of your appropriation.

Third: The third item contained in this Proclamation is that you consider and act upon legislation to provide for the acquisition and construction, maintenance and operation of a system of works for the control, storage, conservation and utilization of the waters of the Napa River and its tributaries.

In the Napa Valley a water shortage has become acute and urgently calls for solution.

The water supply for the Veterans' Home of California, and other State institutions in Napa County, is inadequate. Chapter 760, Statutes of 1937, and Chapter 678, Statutes of 1939, both urgency measures, appropriated moneys to be expended by the Department of Finance for the purchase or construction of a dam and water distribution system for the Veterans' Home of California, and other State institutions in Napa County.

By Chapter 413, Statutes of 1935, the Rector Dam Authority was created and given authority to investigate and determine the best method of impounding the waters of Rector Creek, in Rector Canyon, and the feasibility of erecting a dam and constructing a system for the distribution of the waters of Rector Creek to the public or to municipalities, or to public districts, or to State institutions or agencies. It was given jurisdiction over a portion of Napa State Farm, from which the present water supply for the State institutions is taken, for use as a site for the construction of a proposed dam. It was also given authority to issue revenue bonds to the Federal Government to construct a dam and necessary distribution system.

A survey is now being made by the Department of Public Works for the purpose of determining the most feasible and economical location for a dam and reservoir, but it would appear that additional legislation is necessary before starting construction, whatever the survey may indicate to be the best means of meeting the situation.

Under existing legislation the Rector Dam Authority can not use the funds appropriated to the Department of Finance for the construction of the dam. On the other hand, the Department of Finance has available the moneys appropriated, but it has no jurisdiction over the proposed Rector Dam site, which is vested in the Rector Dam Authority, and could not use the site if it were determined that it was the best location for the dam. The appropriations to the Department of Finance are also limited to the purchase or construction of a dam and water distribution system for the Veterans' Home of California, and other State institutions in Napa County. In the event sufficient water were impounded by the dam constructed by the Department of Finance to leave a surplus after the supplying of the State institutions in Napa County, there would be no legal authority for distributing this water.

In order to protect the State's investment of several millions of dollars in its institutions in Napa Valley; to avoid the impairment of the health of inmates by reason of the lack of adequate water; to eliminate a serious fire hazard; to bring together money and lands heretofore made available to different agencies, and to otherwise cure the defects of existing legislation and to permit the acquisition of a

sufficient water supply upon the most sound economical basis, it is deemed necessary that such a measure prepared under the direction of the Director of Finance and Director of Public Works will be duly submitted for your consideration. The need and urgency for such further legislation is attested by the previous enactments which have been cited.

Fourth: The fourth subject submitted in this Proclamation for your consideration is the making of an appropriation to the Department of Natural Resources for fire suppression and prevention.

Adequate fire protection for our forests and watersheds is also related to the flood control program; but, independent of the aid which adequate fire protection of our forests would be to flood control, the need for additional funds for fire suppression and prevention is so vital and immediate that your action in responding to it is a very urgent necessity.

A state-wide Fire Control Plan has been adopted by the present State Board of Forestry, as a result of a careful study of the actual fire situations which have occurred in California during the past ten years. The technicians and forest rangers of the Division of Forestry have assisted in the preparation of this plan; and in its adoption the Forestry Division has also had the advice and cooperation of the United States Forestry Service.

In view of the approaching fire season the total special appropriation requested for the period from May 15th, 1940, to June 30th, 1948, is \$883,600, which appropriation I hereby recommend.

These additional funds are required because they will result in a future saving of fire control money, as well as of taxable wealth, many times greater than the proposed expenditure.

These additional funds are also necessary to compensate for the lack of protection which has resulted from the withdrawal of the Civilian Conservation Corps from first line fire protection.

The members of the Legislature have been furnished detailed information in support of this recommended appropriation and the urgency thereof, including the following information:

During the calendar year of 1939 the State Division of Forestry suppressed 6,864 fires burning in timber, watershed, range and grain areas and incidental structures.

These fires burned over more than half a million acres of State protected land. The losses sustained are not to be calculated merely for our generation, for there were losses not only of homes, livestock, property, range, grain and timber, but in addition we have the huge and incalculable loss of fertile soil washed from the watersheds by millions of tons into the streams and rivers and into the sea. These are the most serious damages of all, and they will not, and can not, be replaced within many generations, if ever.

The fires of the last season and of previous ones are a contributing cause of the floods of the current spring season. This is established beyond all question of doubt. Without better fire suppression and prevention of the annual loss of protective forest cover, future flood crests will rise to unprecedented heights. Future rains will erode the exposed soil of mountain and foothill slopes, bringing ruin not only to these lands but to the valley farms and communities below.

During 1939 there were 6,864 of these fires. During 1940, with the best of luck, the Division of Forestry will suppress not less than 4,000 fires.

Yet the budget of the Division of Forestry has never been adequate to meet these normal and known conditions. Each year huge emergency and deficiency appropriations have been made when the emergency was upon us; they were necessary and compelled by calamity.

The cheapest and most efficient way to suppress fires is before they occur, or, in any event, at their inception, and the additional appropriation should be considered as an economy measure.

Fifth: The last item or subject submitted in this Proclamation for your consideration is the rescission of the action of the present Legislature in adopting Senate Constitutional Amendment No. 9, Resolutions Chapter 119 of the Statutes of 1939, which would automatically be submitted to the voters at the general election of this year.

My reasons for submitting this subject and recommending, which I do, the rescission of your adoption of this proposed constitutional amendment are two-fold.

First: It is the only way open for me to go on record in the Journals of your proceedings against the adoption of this amendment; and

Second: My belief that the far-reaching, injurious consequences of this amendment, if adopted, may not have been given the consideration due the subject when the resolution was passed.

This proposed amendment would allow for unlimited encroachment on the executive branch of the government by the judicial branch, contrary to the basic conception of the independent functions of the three branches of government under the American constitutional system. It would place in the courts a responsibility to determine purely administrative acts.

Every order or determination of any administrative officer, board or commission in the performance of their duties under the Constitution and in the adminis-

tration of the acts of the Legislature, would be subject to review, trial de novo, revision or revocation upon appeal therefrom to a judge of a superior court, regardless of the fact that the order or determination is purely an administrative act under all standards and precedents established throughout the history of our constitutional system.

It would enable any private interest to obstruct the execution of acts of the Legislature, by compelling administrative orders made under them to run the gamut of judicial procedure until a court of last resort, after long delays, shall tell the administrative officer or commission whether and how the law may be enforced.

The effect would be a circumvention of the execution of laws and a promotion of governmental inefficiency.

I can not too strongly urge your reconsideration of this resolution, with the hope that you will rescind it.

This special session is called for an hour immediately prior to the resumption of the special session previously called, in expectation that you may delay resumption of the previously called special session to act or initiate action upon these urgency matters before resuming that session.

Respectfully yours.

CULBERT L. OLSON,
Governor of California.

CLO:eg

Presentation of Bills for Introduction.

The following bills were presented for introduction and referred to the Legislative Counsel Bureau:

Assembly Bill No. 1: By Messrs. Desmond, Millington, Gannon and Fulcher—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Assembly Bill No. 2: By Mr. Knight—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Assembly Bill No. 3: By Messrs. Millington, Desmond, Gannon and Fulcher—An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, for the purposes herein specified, declaring the urgency thereof, and providing that this act shall take effect immediately.

Introduction and Reference of Bills.

The following bills were reported back from Legislative Counsel Bureau, and read the first time:

Assembly Bill No. 1: By Messrs. Desmond, Millington, Gannon and Fulcher—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 2: By Mr. Knight—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Referred to Committee on Conservation.

Assembly Bill No. 3: By Messrs. Millington, Desmond, Gannon and Fulcher—An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, for the purposes herein specified, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Motion to Allow Golden Gate International Exposition to Present Preview.

Mr. Miller moved that the offer of the Golden Gate International Exposition to stage its preview show in the Assembly Chamber be accepted and that it be made a special order of business for 2 p.m. tomorrow.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Miller moved a call of the Assembly.

The roll was called, and call of the Assembly refused by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Daley, Desmond, Dilworth, Gallagher, Hawkins, Kilpatrick, Kuchel, Leonard, Meehan, O'Day, O'Donnell, Pelletier, Reaves, Rosenthal, Scudder, Walker, Weber, and Mr. Speaker—21.

NOES—Atkinson, Bennett, Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Dills, Doyle, Evans, Field, Fulcher, Gilbert, Gilmore, Green, Heisinger, Houser, Johnson, Kepple, Knight, Lore, Lyon, Maloney, Massion, Miller, Eleanor; Miller, George P., Millington, Phillips, Richie, Sawallisch, Stream, Thurman, Voigt, Waters, Watson, Wollenberg, and Yorty—41.

The question being on the motion by Mr. Miller.

Motion carried by the following vote:

AYES—Burns, Hugh M., Burns, Michael J., Burson, Cassidy, Collins, Desmond, Evans, Fulcher, Gallagher, Gilbert, Gilmore, Green, Hawkins, Kilpatrick, Leonard, Lore, Maloney, Mehan, Miller, Eleanor; Miller, George P., O'Day, O'Donnell, Pelletier, Reaves, Rosenthal, Sawallisch, Scudder, Thurman, Walker, Waters, Weber, and Yorty—32.

NOES—Allen, Andreas, Atkinson, Bashore, Bennett, Call, Carlson, Clarke, Corwin, Cronin, Daley, Dills, Dilworth, Doyle, Field, Gannon, Heisinger, Houser, Johnson, Kepple, Knight, Kuchel, Lyon, Massion, Millington, Phillips, Richie, Stream, Voigt, Watson, and Wollenberg—31.

Recess.

At eleven o'clock and thirty minutes a.m., on motion of Mr. Desmond, the Assembly was declared at recess until the hour of eleven o'clock and fifty minutes a.m.

Reassembled.

At eleven o'clock and fifty minutes a.m., the Assembly reconvened. Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

Introduction and Reference of Bills (Resumed).

The following bill was introduced:

Assembly Joint Resolution No. 1: By Messrs. Tenney, Yorty, Gannon, Phillips and Bashore—Relative to memorializing Congress to enact the necessary legislation to purge the United States of Communism and all of the subversive influences and front organizations which are instigated, encouraged and fostered by it.

Request for Unanimous Consent.

Mr. Tenney asked for unanimous consent to consider Assembly Joint Resolution No. 1, at this time, without reference to committee.

Mr. Rosenthal withheld his consent.

Motion for Temporary Suspension of the Rules.

Mr. Tenney moved that the Rules be temporarily suspended for the purpose of considering Assembly Joint Resolution No. 1, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Andreas, Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Corwin, Cronin, Daley, Del Mutolo, Desmond, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Heisinger, Houser, Johnson, Kepple, Kuchel, Leonard, Lyon, Maloney, Meehan, Miller, Eleanor; Miller, George P., Millington, Phillips, Sawallisch, Scudder, Stream, Tenney, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, Wollenberg, Yorty, and Mr. Speaker—49.

NOES—Atkinson, Gilbert, Hawkins, Kilpatrick, Knight, Lore, Massion, Pelletier, Reaves, Richie, and Rosenthal—11.

Demand for Previous Question.

Messrs. Burson, Field, Clarke, Allen and Stream demanded the previous question.

Demand for previous question sustained by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Burson, Call, Cassidy, Clarke, Corwin, Daley, Del Mutolo, Desmond, Doyle, Evans, Field, Fulcher, Gannon, Gilmore, Green, Heisinger, Kepple, Leonard, Lyon, Millington, O'Day, Phillips, Robertson, Sawallisch, Stream, Tenney, Thurman, Turner, Voigt, Walker, Watson, Weber, Yorty, and Mr. Speaker—37.

NOES—Andreas, Atkinson, Burns, Hugh M., Carlson, Collins, Dilworth, Gilbert, Hawkins, Houser, Johnson, Kilpatrick, Knight, Kuchel, Lore, Maloney, Massion, Miller, Eleanor; Miller, George P., Pelletier, Reaves, Richie, Rosenthal, Scudder, Waters, and Wollenberg—25.

The question being on the adoption of Assembly Joint Resolution No. 1.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Tenney moved a call of the Assembly.

Motion carried. Time, eleven o'clock and fifty-two minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in all absent members.

Further Proceedings Under Call of the Assembly Dispensed With.

At eleven o'clock and fifty-three minutes a.m., on motion of Mr. Tenney, further proceedings under call of the Assembly were dispensed with.

Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Heisinger, Houser, Johnson, Kepple, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Phillips, Robertson, Sawallisch, Scudder, Stream, Tenney, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Williamson, Wollenberg, Yorty, and Mr. Speaker—59.

NOES—Atkinson, Gilbert, Hawkins, Kilpatrick, Pelletier, Reaves, Richie, and Rosenthal—8.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Explanation of Vote on Assembly Joint Resolution No. 1.

We, the undersigned, vote "No" on Assembly Joint Resolution No. 1 because we favor the suppression by law of criminal acts, and of acts alone. We deplore subversive activities inimical to democracy by any group or groups of persons, but we recognize as a law of history and of human nature that ideas as distinguished from acts can not be suppressed. The present resolution is so vague and sweeping in scope that it contributes to a growing and dangerous spirit of hysteria, and in practical effect could only suggest to Congress legislation for the suppression of ideas—something unconstitutional, impracticable, and dangerous to democracy.

PAUL RICHIE.

BEN ROSENTHAL.

VERNON KILPATRICK.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Henriette Henry of Los Angeles.

Adjournment.

At eleven o'clock and fifty-nine minutes a.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, May 14, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE

FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, May 14, 1940.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Reaves, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. Raymond Lull Bailey, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Dills, the further reading of the Journal of Monday, May 13, 1940, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Poulson, on motion of Mr. Waters.

Motion to Pledge Allegiance to the Flag.

Mr. Doyle moved that the Assembly pledge allegiance to our flag each Monday morning.

Motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Phillips, Robertson, Rosenthal, Salsman,

Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—68.
 NOES—None.

Resolutions.

House Resolution No. 8.

By Mr. Turner :

In commemoration of the memory of the Honorable Robert Lincoln Patterson.

Since this body last met in special session, word has come to the Assembly of the State of California of the passing of Robert Lincoln Patterson, a former member.

Mr. Patterson was born in San Francisco on August 1, 1887. He moved to Berkeley in 1898 and received his education in the public schools and the University of California. Mr. Patterson served with distinction in the Rainbow Division during the World War. He was elected to the Assembly in 1926, reelected in 1928 and 1930 from the Forty-eighth Assembly District. During this period of outstanding public service dedicated to the cause of good and progressive government, few men have builded themselves more sincerely and effectively into the hearts of his associates than did he.

Robert Lincoln Patterson was a past president of the American Legislators Association, past State president of, and a national officer in, the Loyal Order of Moose and at the time of his passing he was a special lecturer on insurance, a field to which he had devoted many years of his life, on the faculty of the University of California.

In order that an imperishable record may be maintained for all time on the official pages of the Journal of the Assembly of the State of California, portraying the Assembly's high regard for a distinguished legislator, citizen and friend; be it

Resolved by the Assembly of the State of California, meeting in special session this fourteenth day of May, 1940, that this resolution be spread upon the minutes and engrossed copies of the same be forwarded by the Chief Clerk to the bereaved family of our much esteemed former colleague; and be it further

Resolved, That when the Assembly adjourns this day, that it do so out of respect to the late Robert Lincoln Patterson.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted unanimous consent to consider House Resolution No. 8, at this time, without reference to committee.

House Resolution No. 8 read, and unanimously adopted.

Introduction and Reference of Bill.

The following bill was introduced :

Assembly Concurrent Resolution No. 1: By Mr. Doyle—Relative to the sponsorship of a W.P.A. project to abate a dangerous nuisance.

Referred to Committee on Rules.

Presentation of Bills for Introduction.

The following bills were presented for introduction and referred to the Legislative Counsel Bureau :

Assembly Bill No. 4: By Messrs. O'Donnell and Crowley—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Assembly Bill No. 5: By Messrs. O'Donnell, Crowley and Burns, Michael J.—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Adjournment.

At eleven o'clock and twenty-five minutes a.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Robert Lincoln Patterson, a former member of the Assembly, until ten o'clock a.m., Wednesday, May 15, 1939.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY
THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 15, 1940.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Muto, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Fulcher, Gallagher, Gannon, Gilbert, Gilmore, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuebel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Reaves, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Seudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—72.

Quorum present.

Prayer.

Prayer was offered by Rev. Raymond Lull Bailey, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Turner, the further reading of the Journal of Tuesday, May 14, 1940, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Poulson, on motion of Mr. Waters.
Mr. Phillips, on motion of Mr. Carlson.
Mr. Williamson, on motion of Mr. Cronin.
Mr. O'Day, on motion of Mr. Cronin.
Mr. Green, on motion of Mr. Cronin.
Mr. Field, on motion of Mr. Clarke.

Report of Standing Committee.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1940.

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 7.

Respectfully reports the same back with the recommendation: Be adopted as amended.

DESMOND, Chairman.

Committee Amendment to House Resolution No. 7.

The following amendment was submitted by the committee:

Amendment No. 1.

Strike out the entire resolution, and insert in lieu thereof the following:

House Resolution No. 7.

By Mr. Waters:

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

Number	Name	Address	Distance from county seat	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J. Barnes	Enckia, Humboldt County	312	--	--	624	\$31 20
2	Clifton J. Enlicher	Lookout, Modoc County	324	--	44	568	28 00
3	John H. O'Donnell	Woodland, Yolo County	23	--	--	46	2 30
4	Seth Millington	Gridley, Butte County	86	--	14	144	7 20
5	Ernest C. Crowley	Suisun, Solano County	48	--	--	96	4 80
6	Allen G. Thurmon	Colfax, Placer County	37	17	54	108	5 40
7	Chester F. Thurmon	Sacramento, Sacramento County	--	--	--	--	--
8	Earl D. Desmond	Sacramento, Sacramento County	--	--	--	--	--
9	Harold F. Sawallisch	Richmond, Contra Costa County	62	22	84	168	8 40
10	Charles M. Weber	Stockton, San Joaquin County	48	--	--	96	4 80
11	James E. Thorp	Lockeford, San Joaquin County	18	--	3	90	4 50
12	James M. Cassidy	Oakland, Alameda County	84	--	15	168	8 40
13	George P. Miller	Alameda, Alameda County	84	5	89	178	8 90
14	Bernard A. Sheridan	Oakland, Alameda County	84	--	--	168	8 40
15	Artlm W. Carlson	Piedmont, Alameda County	84	--	--	168	8 40
16	Henry P. Meehan	Oakland, Alameda County	84	--	--	168	8 40
17	James H. Phillips	Oakland, Alameda County	84	--	--	168	8 40
18	Gardiner Johnson	Berkeley, Alameda County	84	--	1	166	8 30
19	Thomas A. Maloney	San Francisco, San Francisco County	90	--	83	180	9 00
20	Joseph P. Gilmore	San Francisco, San Francisco County	90	--	--	180	9 00
21	George D. Collins, Jr.	San Francisco, San Francisco County	90	--	--	180	9 00
22	Dan Gallagher	San Francisco, San Francisco County	90	--	--	180	9 00
23	Edward F. O'Day	San Francisco, San Francisco County	90	--	--	180	9 00
24	Melvin I. Cronin	San Francisco, San Francisco County	90	--	--	180	9 00
25	Ray Williamson	San Francisco, San Francisco County	90	--	--	180	9 00
26	Albert C. Wallenberg	San Francisco, San Francisco County	90	--	--	180	9 00
27	Robert Miller Green	San Francisco, San Francisco County	90	--	--	180	9 00
28	Byrl R. Salsman	Palo Alto, Santa Clara County	128	18	146	292	14 60
29	M. G. Del Mufolo	San Jose, Santa Clara County	128	--	--	256	12 80
30	Hugh P. Donnelly	Turlock, Stanislaus County	77	14	91	182	9 10
31	George A. Clarke	LeGrand, Merced County	114	15	129	258	12 90
32	Jacob M. Leonard	Hollister, San Benito County	173	--	--	346	17 30
33	Fred Weybret	Soledad, Monterey County	208	24	232	464	23 20
34	Hugh M. Barnes	Fresno, Fresno County	169	--	--	338	16 90
35	S. L. Helsing	Fresno, Fresno County	169	--	--	338	16 90
36	Gordon H. Garland	Woodlake, Tulare County	206	16	222	444	22 20
37	Alfred W. Robertson	Santa Barbara, Santa Barbara County	460	--	--	920	46 00
38	Roscoe W. Burson	Fillmore, Ventura County	190	27	517	1034	51 70
39	Elmer E. Lore	North Hollywood, Los Angeles County	447	--	--	894	44 70
40	C. Don Field	Glendale, Los Angeles County	447	--	10	874	43 70
41	John B. Pelletier	Los Angeles, Los Angeles County	447	--	--	894	44 70
42	Thomas J. Doyle	Los Angeles, Los Angeles County	447	--	--	894	44 70
43	Jack B. Tenney	Inglewood, Los Angeles County	447	10	457	914	45 70
44	Eleanor Miller	Pasadena, Los Angeles County	447	13	460	920	46 00
45	T. Fenton Knight	La Canada, Los Angeles County	447	16	463	926	*23 15
46	Lee T. Bashore	Glendora, Los Angeles County	447	26	473	946	47 30
47	F. Ray Bennett	Los Angeles, Los Angeles County	447	--	--	894	44 70
48	Ben Rosenthal	Los Angeles, Los Angeles County	447	--	--	894	44 70
49	Frederick F. Houser	Alhambra, Los Angeles County	447	9	456	912	45 60
50	Wilbur F. Gilbert	Los Angeles, Los Angeles County	447	--	--	894	44 70
51	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	894	44 70
52	Norris Poulson	Los Angeles, Los Angeles County	447	--	--	894	44 70
53	Frank J. Waters, Jr.	Los Angeles, Los Angeles County	447	--	--	894	44 70
54	Jesse Randolph Kellem	Los Angeles, Los Angeles County	447	--	--	894	44 70
55	Ernest O. Voigt	Los Angeles, Los Angeles County	447	--	--	894	44 70
56	Augustus F. Hawkins	Los Angeles, Los Angeles County	447	--	--	894	44 70
57	Samuel W. Yorty	Los Angeles, Los Angeles County	447	--	--	894	44 70
58	John W. Evans	Los Angeles, Los Angeles County	447	--	--	894	44 70

* One-half return trip.

District	Name	Address	Distance from county seat	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
66	Jack Massion	Los Angeles, Los Angeles County	447	--	--	894	44 70
67	Cecil R. Kling	Los Angeles, Los Angeles County	447	--	--	894	44 70
68	Fred Reaves	San Pedro, Los Angeles County	447	23	470	940	47 00
69	Ralph C. Dills	Compton, Los Angeles County	447	18	465	930	46 50
70	Maurice E. Atkinson	Long Beach, Los Angeles County	447	22	469	938	46 90
72	Godfrey A. Andreas	Upland, San Bernardino County	508	22	530	1060	53 00
73	Gordon W. Corwin	Redlands, San Bernardino County	508	9	517	1034	51 70
74	Clyde A. Watson	Orange, Orange County	481	--	--	962	48 10
75	Thomas A. Kuebel	Anaheim, Orange County	481	--	488	976	48 80
76	Nelson S. Dilworth	Hemet, Riverside County	512	34	546	1092	54 60
77	Clarence R. Walker	Westmorland, Imperial County	661	--	22 639	1278	*31 95
78	Jeanette E. Daley	San Diego, San Diego County	573	--	--	1146	57 30
79	Paul A. Klehle	San Diego, San Diego County	573	--	--	1146	57 30
80	Charles W. Stream	Palm City, San Diego County	573	13	586	1172	58 60

* One-half return trip.

Name	Address	Distance from county seat	Distance from county seat, more	Mileage one way	Total mileage	Amount at 10 cents per mile
Jack Carl Greenburg	Los Angeles, Los Angeles County	447	--	--	894	\$89 40
David V. Oliver	Merced, Merced County	114	--	--	228	22 80
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	--	--

Amendment adopted.

Consideration of House Resolution No. 7, as Amended.

House Resolution No. 7, as amended, read and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Cronin, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Fulcher, Gilbert, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, Leonard, Lyon, Maloney, Massion, Miller, Eleanor; Miller, George P., Pelletier, Reaves, Richie, Rosenthal, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—None.

Resolution.

By Committee on Rules:

House Resolution No. 9.

Resolved by the Assembly of the State of California, That Assembly Standing Rule No. 27 of this second extraordinary session, convened on May 13, 1940, is hereby amended to read as follows:

"27. Every member actually in the Assembly Chamber when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall, after he has stated his reasons for not doing so, excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

The name of any member who refuses to vote as required by this rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered on the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed on the Journal, provided no such explanation shall exceed fifty words in length.

In addition to the entry of his name on the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker.

Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to section 9 of Article IV of the Constitution.

A member may submit a written explanation of his vote on any bill or house resolution, and have such explanation printed on the Journal immediately following such vote, provided no such explanation shall exceed fifty words in length."

House Resolution No. 9 read, and ordered printed in the Journal.

Introduction and Reference of Bills.

The following bills were reported back from the Legislative Counsel, and read first time:

Assembly Bill No. 4: By Messrs. O'Donnell and Crowley—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation and Flood Control.

Assembly Bill No. 5: By Messrs. O'Donnell, Crowley and Burns, Michael J.—An act making an appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation and Flood Control.

Motion to Expunge Record and Rescind Action Whereby House Resolution No. 6 Was Adopted.

On motion of Mr. Voigt, the record was expunged and the action rescinded whereby House Resolution No. 6 was adopted, by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Cronin, Daley, Del Muntolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Gallagher, Gilbert, Hawkins, Johnson, Kellems, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Maloney, Massion, Meehan, Miller, Eleanor, Miller, George P., Millington, Pelletier, Reaves, Richie, Rosenthal, Salsman, Sheridan, Stream, Thurman, Turner, Voigt, Walker, Waters, Weyhert, Wollenberg, and Mr. Speaker—49.

NOES—None.

House Resolution No. 6 ordered re-referred to Committee on Attaches.

Introduction and Reference of Bills.

The following bill was introduced, and read the first time:

Assembly Concurrent Resolution No. 2: By Mr. Collins—Relative to rescind and annul a resolution, known as Senate Constitutional Amendment No. 9, Statutes 1939, Chapter 119, being a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding section 5a to Article VI thereof, relating to the judicial review of orders, decisions and determinations of administrative officers, boards or commissions.

Referred to Committee on Constitutional Amendments.

Hon. Frederick F. Houser in the Chair.

At ten o'clock and forty-eight minutes a.m., Hon. Frederick F. Houser, member of the Assembly from the Fifty-third District, in the chair.

Adjournment.

At ten o'clock and fifty minutes a.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Thursday, May 16, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY
 FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Thursday, May 16, 1940.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
 Chief Clerk Jaek Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Reaves, Richie, Robertson, Rosenthal, Salsman, Sawalisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. Raymond Lull Bailey, Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Donnelly, the further reading of the Journal of Wednesday, May 15, 1940, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Lyon, on motion of Mr. Field.

Mr. Williamson, on motion of Mr. Maloney.

Committee Appointments.

The Speaker announced the following changes of committees in place of Mr. Peek:

Revenue and Taxation	-----	C. Don Field
Conservation	-----	Nelson Dilworth
Irrigation	-----	Burns, Hugh M.
Public Morals	-----	Williamson
Governmental Efficiency and Economy	-----	Kepple
Ways and Means	-----	Mrs. Daley
Judiciary General	-----	Phillips, Chairman
Federal Relations	-----	Andreas, Chairman, in place of Phillips

Communication.

From Southside Chamber of Commerce, Los Angeles, commending members for their stand in refusing to adopt revenue measures designed to increase or create new taxes.

Report of Standing Committee.

On River Navigation, Reclamation and Flood Control.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1940.

MR. SPEAKER: Your Committee on River Navigation, Reclamation and Flood Control, to which was referred:

Assembly Bill No. 1.

Respectfully reports the same back with the recommendation: Do pass as amended.
WEBER, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bills (Out of Order).

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Committee Amendments to Assembly Bill No. 1.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the words "Section 1.", insert the following: "Whereas, The Reclamation Board jointly with the California Debris Commission, pursuant to Chapter 176 of the Statutes of 1925, has adopted a construction program for the units of the Sacramento River Flood Control Project consisting of levee construction and repair along the Feather and Sacramento Rivers and their tributaries and along the Sutter By-pass and the Yolo By-pass, and providing for the acquisition of lands, rights of way, easements, and flowage easements and for incidental construction and for the administration and overhead of The Reclamation Board, all in accordance with the provisions of Chapter 918, Statutes of 1937, and of the purposes as set out in Item 206 of section 2 of the Budget Act of 1939."

Amendment No. 2.

On page 1, lines 7 and 8, of the printed bill, strike out the words "during the ninety-first and ninety-second fiscal years."

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Withdrawal and Re-reference of Assembly Bill No. 1.

On motion of Mr. Millington, Assembly Bill No. 1 was withdrawn from the calendar and re-referred to the Committee on Ways and Means.

Senate Message.

SENATE CHAMBER, SACRAMENTO, May 16, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 1—Relative to calling upon the Governor to permit well considered, comprehensive legislation upon the subject of the relief of hardship and destitution, whether due to and caused by unemployment or by other causes.

J. A. BEEK, Secretary of Senate.

By JOHN F. LEA, Assistant Secretary.

Request for Unanimous Consent.

Mrs. Daley asked for unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, without reference to committee or calendar.

Mr. Atkinson withheld his consent.

Motion for Temporary Suspension of the Rules.

Mrs. Daley moved that the Rules be temporarily suspended for the purpose of considering Senate Concurrent Resolution No. 1 at this time. The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mrs. Daley moved a call of the Assembly.

The Speaker ordered a roll call taken on the motion for a call of the Assembly.

Motion carried by the following vote:

AYES—Allen, Andreas, Bashore, Burson, Carlson, Clarke, Corwin, Cronin, Daley, Dilworth, Doyle, Field, Fulcher, Gallagher, Gilmore, Green, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Maloney, Miller, Eleanor; Millington, Phillips, Poulson, Salsman, Seudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—45.

NOES—Atkinson, Bennett, Cassidy, Collins, Del Mutolo, Dills, Donnelly, Gilbert, Kilpatrick, Lore, Massion, O'Donnell, Pelletier, Reaves, Richie, Robertson, and Rosenthal—17.

Time, one o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to lock the doors, and to bring in all absent members.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock and twenty-five minutes p.m., on motion of Mr. Field, further proceedings under the call of the Assembly were dispensed with.

The roll of absentees was called, and the motion for the temporary suspension of the Rules lost by the following vote:

AYES—Allen, Bashore, Burson, Carlson, Clarke, Corwin, Cronin, Daley, Desmond, Dilworth, Field, Fulcher, Gannon, Green, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Maloney, Miller, Eleanor; Millington, Phillips, Poulson, Salsman, Sawallisch, Seudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—44.

NOES—Andreas, Atkinson, Bennett, Burns, Michael J., Cassidy, Collins, Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gallagher, Gilbert, Gilmore, Hawkins, Heisinger, Kilpatrick, King, Lore, Massion, Meehan, Miller, George P., O'Day, O'Donnell, Pelletier, Reaves, Richie, Robertson, and Rosenthal—30.

Senate Concurrent Resolution No. 1 referred to the Committee on Rules.

Notice of Motion to Withdraw Assembly Bill No. 5 from Committee.

Mr. O'Donnell gave notice that on the next legislative day he would move to withdraw Assembly Bill No. 5 from the Committee on River Navigation, Reclamation and Flood Control, and have it placed on the calendar.

The Speaker Pro Tempore in the Chair.

At two o'clock and twenty-six minutes p.m., Hon. Gardiner Johnson, Speaker Pro Tempore of the Assembly, in the chair.

Resolutions.**House Resolution No. 10.**

By Mr. Hawkins:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Expense Fund of the Assembly in favor of Jack Carl Greenburg, Chief Clerk, and the State Treasurer is hereby directed to pay the same, in the sum of \$150, said amount being for the payment of postage, telegraphing, expressage, illuminating resolutions, and incidental expenses of the Chief Clerk's office.

Request for Unanimous Consent.

Mr. Hawkins asked for, and was granted, unanimous consent to take up House Resolution No. 10, at this time, without reference to committee.

House Resolution No. 10 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Muto, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilbert, Gilmore, Green, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, Knight, Kuchel, Leonard, Lore, Maloney, Massion, Miller, Eleanor; Miller, George P., O'Day, O'Donnell, Pelletier, Phillips, Poulson, Reaves, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Walker, Waters, Watson, Weybret, Wollenberg, and Yorty—63.

NOES—None.

House Resolution No. 11.

By Mr. Hawkins:

Resolved, That the State Controller is hereby authorized and directed to draw his warrant in favor of the Chief Clerk of the Assembly in the sum of ten dollars (\$10), to be used as the post-office revolving fund, and the Treasurer is hereby directed to pay the same.

Request for Unanimous Consent.

Mr. Hawkins asked for, and was granted, unanimous consent to take up House Resolution No. 11, at this time, without reference to committee.

House Resolution No. 11 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Del Muto, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilbert, Gilmore, Green, Hawkins, Heisinger, Kellems, Kilpatrick, Knight, Kuchel, Leonard, Maloney, Massion, Miller, Eleanor; O'Day, Pelletier, Phillips, Poulson, Reaves, Richie, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Walker, Waters, Watson, Weybret, Wollenberg, and Yorty—56.

NOES—None.

House Resolution No. 12.

By Miss Miller and Messrs. Hoiser, Knight, Scudder, Allen, Atkinson, King, Evans, Kepple, Tenney, Waters, Yorty, Carlson, Watson, Johnson, Clarke, Green, Field, Dilworth, Kuchel and Massion:

Relating to the illness of Mrs. Jesse Randolph Kellems.

WHEREAS, The members of the Assembly have learned with sorrow of the illness of the beloved wife of our esteemed colleague, Jesse Randolph Kellems; and

WHEREAS, It is the earnest prayer and the heartfelt desire of every member of the Assembly that her illness may be of short duration and her recovery swift and complete; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby extend its very sincere sympathy to both Mr. and Mrs. Kellems; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send flowers to Mrs. Kellems, and to transmit to her a suitably engrossed copy of this expression of sympathy and good wishes.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up House Resolution No. 12, at this time, without reference to committee.

House Resolution No. 12 read, and adopted unanimously.

Report of Standing Committee.**On Rules.**

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1940.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 1.

Respectfully reports the same back with the recommendation: Be adopted.

DESMOND, Chairman.

The above reported bill ordered on the calendar.

Presentation of Bills for Introduction.

The following bills were presented for introduction and referred to the Legislative Counsel Bureau:

Assembly Bill No. 6: By Messrs. Crowley, Call, Allen and O'Donnell—An act to amend the title and sections 1, 2, 7, and 8 of, to repeal sections 9, 10 and 11 of, and to add sections 9 and 10 to an act entitled "An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts," approved July 9, 1935, relating to the Rector Dam Authority, changing the membership, powers, and duties thereof, prescribing the duties of the Department of Public Works in relation thereto, and making an appropriation therefor.

Assembly Bill No. 7: By Mr. Crowley—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

Assembly Bill No. 8: By Messrs. Evans and Atkinson—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Assembly Bill No. 9: By Messrs. Atkinson, Tenney and Reaves—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Introduction and Reference of Bills.

The following bills were reported back from the Legislative Counsel Bureau, and read the first time:

Assembly Bill No. 6: By Messrs. Crowley, Call, Allen and O'Donnell—An act to amend the title and sections 1, 2, 7, and 8 of, to repeal sections 9, 10 and 11 of, and to add sections 9 and 10 to an act entitled "An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts," approved July 9, 1935, relating to the Rector Dam Authority, changing the membership, powers, and duties thereof, prescribing the duties of the Department of Public Works in relation thereto, and making an appropriation therefor.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 7: By Mr. Crowley—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 8: By Messrs. Evans and Atkinson—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate

and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 9: By Messrs. Atkinson, Tenney and Reaves—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act for 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Concurrent Resolution No. 3: By Mr. Evans and Mrs. Daley—Relative to the "I am an American" panegyric.

Referred to Committee on Rules.

Recess.

At two o'clock and twenty-eight minutes p.m., on motion of Mr. Desmond, the Assembly was declared at recess until the hour of four o'clock and thirty minutes p.m.

Reassembled.

At four o'clock and thirty minutes p.m., the Assembly reconvened. Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

Third Reading of Senate Bill.

Senate Concurrent Resolution No. 1—Relative to calling upon the Governor to permit well considered, comprehensive legislation upon the subject of the relief of hardship and destitution, whether due to and caused by unemployment or by other causes.

Bill read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burson, Call, Carlson, Clarke, Corwin, Cronin, Daley, Dilworth, Doyle, Field, Fulcher, Gannon, Green, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Maloney, Miller, Eleanor; Millington, Phillips, Poulson, Reaves, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—46.

NOES—Atkinson, Bennett, Burns, Michael J., Cassidy, Collins, Del Mutolo, Dills, Donnelly, Gallagher, Gilbert, Gilmore, Hawkins, Heisinger, Kilpatrick, King, Lore, Massion, Meehan, O'Day, O'Donnell, Pelletier, Richie, Robertson, and Rosenthal—24.

Title read and approved. Bill ordered transmitted to the Senate.

Report of Standing Committees (Resumed).

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1940.

MR. SPEAKER: Your Committee on Conservation, to which was referred:

Assembly Bill No. 2.

Respectfully reports the same back with the recommendation: Do pass as amended.

KNIGHT, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bill (Out of Order).

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Committee Amendments to Assembly Bill No. 2.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "tion and suppression, during the 91st and 92d fiscal years."

Amendment No. 2.

On page 1 of the printed bill, between lines 7 and 8, insert the following:
 "In the event that the regulations governing the Civilian Conservation Corps again should permit the use of enrollees for first attack fire suppression purposes, the unencumbered balance of this appropriation shall thereupon revert to the General Fund."

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out "\$883,608.50" and insert in lieu thereof the following: "\$430,315.00".

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Report of Standing Committees (Resumed).

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1.

And reports the same correctly engrossed.

CASSIDY, Chairman.

Re-reference of Assembly Bill No. 1.

On motion of Mr. Millington, Assembly Bill No. 1 was re-referred to the Committee on Ways and Means.

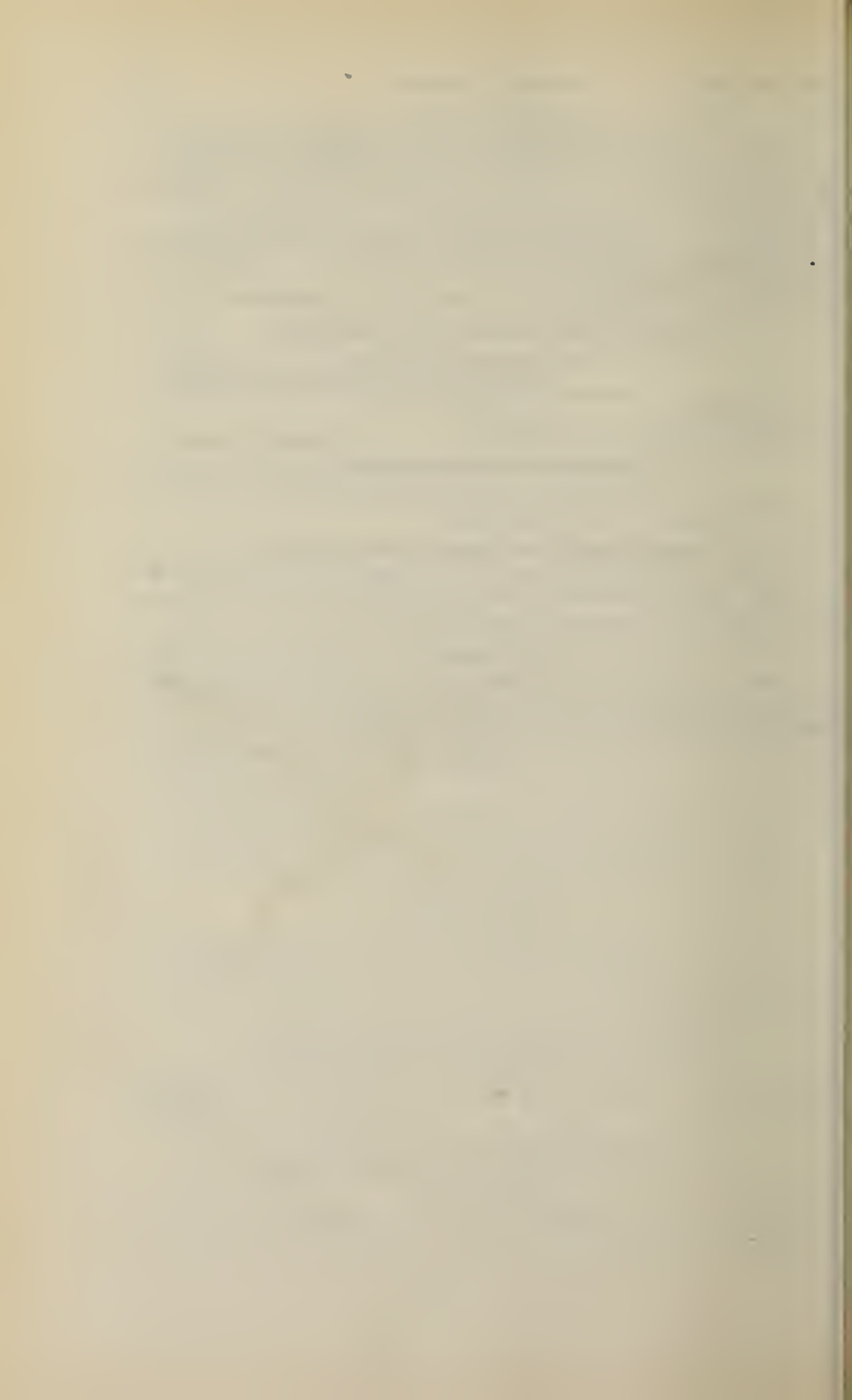
Guests Extended Privilege of Assembly Floor.

On request of Mr. Burns, Hugh M., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William Leviatt and Cecil Gordon of Fresno.

Adjournment.

At four o'clock and fifty-five minutes p.m., on motion of Mr. Leonard, the Speaker declared the Assembly adjourned this day until one o'clock and thirty minutes p.m., Friday, May 17, 1940.

DAVID V. OLIVER, Minute Clerk.



CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY
FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 17, 1940.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Poulson, Reaves, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—68.

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Rev. Alfred Tonness, executive secretary Church Council of Sacramento, Guest Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Corwin, the further reading of the Journal of Thursday, May 16, 1940, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Evans, on motion of Mr. Doyle.
Mr. Sheridan, on motion of Mr. Leonard.
Mr. Miller, on motion of Mr. Johnson.
Mr. Kilpatrick, on motion of Mr. Bashore.
Mr. Atkinson, on motion of Mr. Dills.
Mr. Del Mutolo, on motion of Mr. Leonard.
Mr. Williamson, on motion of Mr. Cronin.
Mr. Richie, on motion of Mr. Dills.
Mr. Gannon, on motion of Mr. Millington.
Mr. Phillips, on motion of Mr. Carlson.

Reports of Standing Committees.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: **Assembly Bill No. 2.**
And reports the same correctly engrossed.

CASSIDY, Chairman.

Re-reference of Assembly Bill No. 2.

On motion of Mr. Knight, Assembly Bill No. 2 was re-referred to the Committee on Ways and Means.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1940.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: **Assembly Bill No. 1.**

Respectfully reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman.

The above reported bill ordered on second reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1940.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: **Assembly Bill No. 2.**

Respectfully reports the same back with the recommendation: Do pass, as amended.

MILLINGTON, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bills (Out of Order).

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Committee Amendments to Assembly Bill No. 2.

The following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "ninety-first and".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, strike out "years", and insert in lieu thereof the following: "year".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out the word "dollars".

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Resolution.

House Resolution No. 13.

By Mr. Thurman:

WHEREAS, The Thirteenth Annual International Jumping Frog Jubilee is now being celebrated in Angels Camp; and

WHEREAS, This celebration will continue until its culmination on Sunday, May 19, 1940, with contests exhibiting the skill and culture of the pioneer West; and

WHEREAS, These jubilees have come to be recognized as an annual reminder of the perpetual youth of the Mother Lode; and

WHEREAS, It is proper to honor the fanciers and the protectors of California jumping frogs; and

WHEREAS, Contests exhibiting the skill and culture of the pioneer West elicit the admiration of all our citizens; now, therefore, be it

Resolved by the Assembly of the State of California, That this body extend its heartiest felicitations to the city of Angels Camp and the county of Calaveras for this yearly festival of camaraderie and good spirit; and be it further

Resolved, That as many members of this Assembly and their families attend the celebration as find it possible so to do.

Request for Unanimous Consent.

Mr. Thurman asked for, and was granted, unanimous consent to consider House Resolution No. 13, at this time, without reference to committee.

House Resolution No. 13 read, and adopted.

Presentation of Bills for Introduction.

The following bills were presented for introduction and referred to the Legislative Counsel Bureau:

Assembly Bill No. 10: By Mr. Clarke—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Merced and Madera counties, declaring the urgency thereof, and providing that this act shall take effect immediately.

Assembly Bill No. 11: By Messrs. Atkinson, Reaves, Kellems, Voigt and Tenney—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Recess.

At one o'clock and fifty-five minutes p.m., on motion of Mr. Stream, the Assembly was declared at recess until the hour of two o'clock p.m., for the purpose of introducing members of the Mission Tribe of Indians of California.

Reassembled.

At 2 o'clock p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

Third Reading of Assembly Bills.

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Consideration of Urgency Clause.

Urgency clause read.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly. Motion carried. Time, 2 o'clock and twenty-six minutes p.m. The Speaker directed the Sergeant-at-Arms to lock the doors, and to bring in all absent members.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock and twenty-seven minutes p.m., on motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The roll of absentees was called, and the urgency clause to Assembly Bill No. 1 refused adoption by the following vote:

AYES—Allen, Andreas, Bashore, Burson, Call, Carlson, Clarke, Corwin, Cronin, Daley, Desmond, Dilworth, Doyle, Field, Fulcher, Green, Houser, Johnson, Kellems, Kepple, Knight, Kuebel, Leonard, Lyon, Maloney, Miller, Eleanor, Millington, O'Donnell, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—46.

NOES—Bennett, Burns, Hugh M., Burns, Michael J., Cassidy, Collins, Crowley, Dills, Donnelly, Gallagher, Gilbert, Gilmore, Hawkins, Heisinger, Lore, Massion, Mehan, O'Day, Pelletier, Reaves, and Rosenthal—20.

Resolution.

House Resolution No. 14.

By Mr. Bashore:

WHEREAS, Large quantities of scrap iron are now being collected in this State and exported to foreign countries; and

WHEREAS, In the present chaotic condition of world affairs, it is essential that materials such as scrap iron, be conserved for possible use by the Government of the United States; and

WHEREAS, The establishment of community yards for the collection of scrap iron would be an immediate practical step toward enabling the people of the State of California to furnish such scrap iron to the Government of the United States; now, therefore, be it

Resolved by the Assembly of the State of California, That this body recommends to the city councils and the boards of supervisors of the cities, cities and counties and counties of this State that they make available to the people at convenient and accessible places, municipal and community yards for the collection and preservation of scrap iron; and, be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to forward copies of this resolution to the several city councils and the boards of supervisors of the said cities, cities and counties and counties.

House Resolution No. 14 referred to Committee on Rules.

Notice of Motion to Reconsider Urgency Clause to Assembly Bill No. 1.

Mr. Millington gave notice that on the next legislative day he would move to reconsider the vote whereby the urgency clause to Assembly Bill No. 1 was this day refused passage.

Motion for Temporary Suspension of the Rules.

Mr. Millington moved that the Rules be temporarily suspended for the purpose of considering urgency clause to Assembly Bill No. 1 at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burson, Call, Carlson, Clarke, Corwin, Cronin, Crowley, Daley, Desmond, Dilworth, Doyle, Field, Fulcher, Green, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Lyon, Maloney, Miller, Eleanor; Millington, O'Donnell, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Yorty—46.

NOES—Burns, Michael J., Cassidy, Collins, Dills, Donnelly, Gallagher, Gilbert, Gilmore, Hawkins, Heisinger, Lore, Massion, Meehan, O'Day, Pelletier, Reaves, Robertson, and Rosenthal—18.

Reconsideration of Urgency Clause to Assembly Bill No. 1.

In compliance with a notice given, Mr. Millington moved that the vote whereby the urgency clause to Assembly Bill No. 1 was refused passage be reconsidered.

Urgency clause to Assembly Bill No. 1 reconsidered by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burson, Call, Carlson, Clarke, Corwin, Cronin, Crowley, Daley, Desmond, Dilworth, Doyle, Field, Fulcher, Green, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Lyon, Maloney, Meehan, Miller, Eleanor; Millington, O'Donnell, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Yorty—48.

NOES—Bennett, Burns, Michael J., Cassidy, Collins, Dills, Donnelly, Gallagher, Gilmore, Heisinger, Lore, Massion, O'Day, Pelletier, Reaves, and Rosenthal—15.

The question being on the adoption of the urgency clause to Assembly Bill No. 1.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, two o'clock and twenty-eight minutes p.m.

The Speaker directed the Sergeant-at-Arms to lock the doors, and to bring in all absent members.

Proceedings Under Call of the Assembly by Unanimous Consent.**Resolution.**

House Resolution No. 15.

By Mr. Stream:

WHEREAS, The Indians of California have claims pending against the government of the United States based upon certain treaties signed in 1851 and 1852; and

WHEREAS, If the pending claims can be settled at the earliest possible date many Indians in California will be removed from the relief rolls, with a consequent saving to the taxpayers of this State; and

WHEREAS, To accomplish this result it will be necessary to repeal section 8025 of the Welfare and Institutions Code; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby respectfully urges His Excellency, Culbert L. Olson, the Governor of the State of California, that if he should issue a future proclamation for the convening of the Legislature in special session that he consider the inclusion as one of the items on such proclamation the subject of considering the application of section 8025 of the Welfare and Institutions Code; and be it further

Resolved, That a copy of this resolution be delivered immediately by the Chief Clerk of the Assembly to His Excellency, Culbert L. Olson, the Governor of the State of California.

House Resolution No. 15 referred to Committee on Rules.

Introduction and Reference of Bills.

The following bills were reported back from the Legislative Counsel Bureau, and read first time:

Assembly Bill No. 10: By Mr. Clarke—An act making an appropriation to the Department of Public Works for the cost of repair or restoration of property damaged or destroyed by storms and floods and to avert, alleviate and prevent such damage and destruction in Merced and Madera counties, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Assembly Bill No. 11: By Messrs. Atkinson, Reaves, Kellems, Voigt and Tenney—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 for the cost of repair and restoration of property damaged or destroyed by storms and floods and for work and remedial measures designed to avert, alleviate and prevent such damage and destruction, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on River Navigation, Reclamation and Flood Control.

Report of Standing Committee.**On Rules.**

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1940.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 1.

Respectfully reports the same back with the recommendation: Be adopted as amended.

DESMOND, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bills (Out of Order).

Assembly Concurrent Resolution No. 1—Relative to the sponsorship of a WPA project to abate a dangerous nuisance.

Committee Amendments to Assembly Concurrent Resolution No. 1.

The following amendments were submitted by the committee:

Amendment No. 1.

In lines 2 and 3 of the title of the printed measure, strike out "to abate a dangerous nuisance", and insert in lieu thereof the following: "to improve the Dorchester ditch".

Amendment No. 2.

On page 1, line 5, of the printed measure, after "channel", insert the following: "known as the Dorchester ditch".

Amendment No. 3.

On page 1, line 6, of the printed measure, after "this", insert the following: "ditch is a".

Amendment No. 4.

On page 1, line 7, of the printed measure, after "time," insert the following: "and".

Amendment No. 5.

On page 1 of the printed measure, strike out lines 17 to 23, inclusive, and insert in lieu thereof the following: "to study and consider the advisability of seeking the approval of a WPA project to improve this ditch and eliminate this hazard; and be it further

Resolved, That the Relief Commission and the Relief Administrator are urged and requested to study and consider the advisability of making all or a part of the sponsor's contribution to this project; and be it further".

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock and twenty-eight and one-half minutes p.m., on motion of Mr. Desmond, further proceedings under the Call of the Assembly were dispensed with.

Urgency clause to Assembly Bill No. 1 refused adoption by the following vote:

AYES—Allen, Andreas, Bashore, Burns, Hugh M., Burson, Call, Carlson, Clarke, Corwin, Cronin, Daley, Desmond, Dilworth, Doyle, Field, Fuleher, Green, Houser, Johnson, Kellems, Kepple, Knight, Kuebel, Leonard, Lyon, Maloney, Meehan, Miller, Eleanor; Millington, O'Donnell, Poulson, Robertson, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—49.

NOES—Bennett, Burns, Michael J., Cassidy, Collins, Crowley, Dills, Donnelly, Gallagher, Gilbert, Gilmore, Heisinger, Lore, Massion, O'Day, Pelletier, Reaves, and Rosenthal—17.

Report of Standing Committee.**On Rules.**

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1940.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 3.

House Resolution No. 15.

Respectfully reports the same back with the recommendation: Be adopted.

DESMOND, Chairman.

Request for Unanimous Consent.

Mrs. Daley asked for, and was granted, unanimous consent to consider Assembly Concurrent Resolution No. 3, at this time, without reference to calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 3.

Assembly Concurrent Resolution No. 3—Relative to the "I am an American panegyric."

Assembly Concurrent Resolution No. 3 read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fuleher, Gallagher, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Knight, Kuebel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, O'Day, Pelletier, Poulson, Reaves, Robertson, Rosenthal, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to consider House Resolution No. 15, at this time, without reference to calendar.

House Resolution No. 15 read, and adopted.

Resolutions.**House Resolution No. 16.**

By Mr. Desmond:

Resolved by the Assembly of the State of California, That newspaper representatives, business representatives and legislative representatives heretofore accredited to the Assembly of the State of California during the first extraordinary session of the Fifty-third Legislature commencing January 29, 1940, are hereby declared to be accredited newspaper representatives, business representatives and legislative representatives to the Assembly of the State of California for the second extraordinary session of the Fifty-third Legislature commencing May 13, 1940.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to consider House Resolution No. 16, at this time, without reference to committee.

House Resolution No. 16 read, and adopted.

House Resolution No. 17.

By Messrs. Lore, Houser and Field:

Relating to the passing of Mrs. John Steven McGroarty.

WHEREAS, Ida Lubrecht McGroarty, beloved wife of John Steven McGroarty, Poet Laureate of this Commonwealth and one of its former representatives to the National Congress, has passed to sacred eternity; and

WHEREAS, Mrs. McGroarty was beloved by all of the many persons throughout this State and the Nation who had come to know, love, and respect her; and

WHEREAS, The passing of Mrs. McGroarty leaves the people of the State of California deeply cognizant of the loss they have sustained in their civic, cultural, and secular activities; now, therefore, be it.

Resolved by the Assembly of the State of California, That this record be spread upon the minutes of this house to record for all time the affection felt for Mrs. McGroarty by its members and their deep sense of sorrow at this time; and be it further

Resolved, That when the Assembly adjourns this day, it do so out of respect to the late Mrs. John Steven McGroarty, and be it further

Resolved, That this resolution be spread upon the minutes and copies of the same be forwarded by the Chief Clerk to the family of Mrs. McGroarty.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to consider House Resolution No. 17, at this time, without reference to committee.

House Resolution No. 17 read, and adopted.

Guests Extended Privilege of Assembly Floor.

On request of the Alameda delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Superior Court Judge James Quinn.

On request of Messrs. Thurman and Clarke, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. William Bigelow of Big Pine.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following named members of the Foresters of America: Cyprien Palu, Leo De Toy, B. Thomsen, Peter Becker, treasurer of Court California; Raymond Seyden, Louis Brown, Paul Cruciani, chief ranger of Court California; Fred Miller, secretary of Court California; and James J. Ryan, former member of Assembly, all of San Francisco.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following named members of the Foresters of America: Dell Eden, Lillian O'Leary and Rose Merrill, all of San Francisco.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Harry V. Brown of Glendale, and Mrs. C. E. Schoff of Sacramento.

On request of Mr. Leonard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Helen Lawson of Sausalito and Mrs. Mae Dooling of Hollister.

Adjournment.

At two o'clock and twenty-nine minutes p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day out of respect to the memory of Mrs. John Stevens McGroarty, late wife of Poet Laureate, until one o'clock and thirty minutes p.m., Monday, May 20, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY
EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 20, 1940.

At one o'clock and thirty minutes p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Mntolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuehel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—74.

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Rabbi Norman M. Goldberg.

Pledge to the Flag.

Pursuant to a previous motion by Mr. Doyle, the Assembly pledged allegiance to the Flag of the United States of America.

Reading of the Journal Dispensed With.

On motion of Mr. Fulcher, the further reading of the Journal of Friday, May 17, 1940, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Gallagher, on motion of Mr. Maloney.

Mr. O'Day, on motion of Mr. Maloney.

Mr. Gannon, on motion of Mr. Doyle.

Report of Standing Committee.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2.

Assembly Concurrent Resolution No. 1.

And reports the same correctly engrossed.

CASSIDY, Chairman.

The above reported bills ordered on third reading calendar.

Motion to Expunge Record and Rescind Action on Urgency Clause to Assembly Bill No. 1.

Mr. Lyon moved to expunge the record and rescind the action whereby the urgency clause to Assembly Bill No. 1 was refused adoption.

Point of Order.

Mr. Burns, Michael J., rose to the point of order that we had not reached the point of motions and resolutions on the daily calendar.

The Speaker ruled the point of order not well taken.

The question being on the original motion by Mr. Lyon.

Record expunged and the action rescinded on the urgency clause to Assembly Bill No. 1 by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Burson, Call, Carlson, Clarke, Cronin, Crowley, Daley, Desmond, Dilworth, Doyle, Field, Fulcher, Green, Houser, Johnson, Kellems, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Lyon, Maloney, Massion, Miller, Eleanor; Millington, Phillips, Poulson, Robertson, Salsman, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—49.

NOES—Bennett, Burns, Michael J., Cassidy, Del Mutolo, Dills, Donnelly, Gilbert, Gilmore, Heisinger, King, Lore, Meehan, Miller, George P., O'Donnell, Pelletier, Ritchie, and Rosenthal—17.

Assembly Bill No. 1 ordered placed on third reading calendar.

Message from the Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
 SACRAMENTO, May 20, 1940.

To the Honorable Members of the Senate and of the Assembly.

GREETINGS: I have given due, careful and respectful consideration to Senate Concurrent Resolution No. 1, adopted by a majority of both houses on May 16, 1940, requesting that I call a special session under a proclamation which will enable the Legislature to consider and act upon legislation for the relief of hardship and destitution, whether resulting from unemployment or from any other causes.

I also have duly considered a request from a majority of your Joint Legislative Fact-Finding Committee on Employment, to issue a call for a special session that will enable the Legislature to consider and act upon a proposed bill which, for the purpose of printing and circulation, was introduced in the Senate on May 16, 1940, as Senate Bill No. 86.

I have also carefully considered the provisions of this measure, together with the report and recommendations made to the Legislature by said committee on May 13, 1940, in pursuance of which this proposed bill was drafted.

Under the proclamation calling your special session which began January 29th, the Legislature is authorized to consider and act upon legislation providing for an appropriation of funds for the relief of hardship and destitution due to and caused by unemployment, to be expended by the Relief Administrator and the Relief Commission in accordance with the provisions of the California Unemployment Relief Act of 1935 for the relief of persons qualifying thereunder. No further proclamation is, therefore, needed to enable the Legislature to provide for the relief of hardship and destitution resulting from unemployment.

Assuming that your resolution was intended to request a proclamation convening another special session to enable the Legislature to act upon the proposed measure above mentioned, I make this reply to that request and to the informal request made to me personally by the majority of the members of the joint committee.

When this committee's request was presented, I advised its members that I would not be inclined to convene another special session for the consideration of new legis-

lation upon the subject of unemployment relief, unless the new legislation proposed under such a call was such that I would not feel it my duty to veto if enacted.

As stated, I have analyzed the measure proposed to be enacted, which has been put in printed form as Senate Bill No. 86, I find that it is a measure which I would consider it my duty to veto if it were passed by any session authorized to enact it. I, therefore, can not accede to the request to call a session for the purpose of enacting this proposed bill, without placing myself in the inconsistent position of impliedly recommending it and then vetoing it if adopted.

Furthermore, I find its concept and specific provisions so at variance with my convictions and policies regarding legislation on the subjects of the bill that I see no possibility of a compromise measure being agreed upon. And if a compromise measure were possible, considering the time required for the special session, the uncertainties of such a compromise, and the fact that in all probability it could not become effective until two or three months before a new Legislature shall meet in regular session, it seems to me that it would be impractical, if not wholly futile, to comply with your request.

I wish that I could be given the time within which to fully point out in this communication all of the objections and reasons that I have for disapproving this proposed measure. But I must consider the importance to you of an immediate answer to your request, and also the fact that you may be more concerned in whether I shall comply with that request, than in the reasons for my action.

However, without attempting to go fully into a discussion of the provisions of the bill, or its objectives and specific provisions, I do wish to briefly record in this communication a few general and fundamental objections thereto.

The whole concept of the bill and its specific provisions are, it seems to me, contrary to the following preliminary observations made in the recommendations of the members of the Joint Legislative Fact-Finding Committee on Employment, at whose request it was introduced:

"The complexity of the situation (unemployment) and the rapidity with which it has grown to be the major problem in California, have resulted in what can only be called muddled thinking. We have lost sight of basic principles. Constant reiteration of the gravity of the relief situation has obscured the fact that relief is a single phase of the problem of unemployment.

Removing the long recognized relief difficulties would leave the unemployment problem still unsolved. Removing unemployment, on the other hand, would eliminate much of the need for relief, except for indigency due to old age; the loss of one or both parents; disease, and similar conditions preventing self-support.

The committee emphasizes that the major question with which the legislature has to deal is the problem of unemployment."

With that preliminary observation I fully agree; but for the same reasons I disagree with the bill proposed by the majority members of this same committee, because it seems to be only a product of muddled thinking; that it has lost sight of basic principles; that it ignores the fact that relief is a single phase of the problem of unemployment; and that it provides no means for the solution of that problem.

The proposed measure would create a Department of Employment to which would be transferred all of the powers and duties of the Relief Commission, Relief Administrator, the Department of Social Welfare, the Social Welfare Board, the Director of the Department of Social Welfare, the State Department of Employment and the California Employment Commission.

Yet it is not an employment measure. It is a measure intended only to transfer the administration of the dole system of relief from the State to the counties, to be integrated with county administration of social welfare aids to the aged, the blind, and dependent children, with State subventions of two-thirds of the cost.

Consolidation, disorganization or reorganization of State departments or agencies or the transfer of State administrative functions to county administration will not make work or provide employment. Employment can only be provided by creating work that does not now exist.

The kind of work that must be provided for the unemployed, if the relief and tax burden is to be reduced, must be self-respecting, decently paid, useful, wealth-producing and, most important, self-sustaining work. Under this proposed measure no such works program can be planned and carried forward.

Among the many glaring inconsistencies contained in this proposed measure are its provisions regarding a works program. Section 70 reads as follows:

"Money available for a works program from any general relief appropriation may be used for all or any of the following purposes:

(a) For materials, equipment, tools, personnel, supervision, time keeping, transportation and administration for the projects.

(b) For rural relief and rehabilitation, including the establishment and operation of camps.

- (e) For aid to self-help cooperative organizations and associations.
- (d) For the construction, reconstruction, replacement or repair of public roads, public buildings, public works and other permanently useful public improvements.
- (e) For the production or processing of consumable goods and commodities exclusively for the use of persons receiving relief.
- (f) For forest fire protection and prevention.
- (g) For the elimination, abatement and prevention of and protection against natural deleterious physical conditions including but not limited to weed abatement, mosquito control, swamp drainage.
- (h) For the conservation of natural resources."

Yet section 80 of the proposed bill says that not more than three per cent of the money made available for unemployment relief shall be expended for these purposes of a Works Program and for the administrative costs of the department and of the counties applicable thereto.

Under section 72 of the proposed bill, no money (not even any of the three per cent) could be expended on a works program without the consent of the counties in the matching of funds.

The proposed bill from a purely administrative standpoint would cause greater confusion than has ever prevailed in the administration of unemployment relief and social welfare aid. Some of its sections are not susceptible of enforcement and administration. Some of the provisions are of doubtful constitutionality and it would take months to iron out its contradictions and discrepancies and mold it into a workable measure.

A program for useful, productive and self-sustaining work, to be comprehensive, permanent and successful and give promise of getting away from the expensive and demoralizing dole system, could not regard county lines. Work could not be instituted and administered by fifty-eight separate county unemployment relief administrations. And the distribution of unemployment relief doles can not possibly be more effective nor less expensive than a State-wide plan. State supervision is required at least for the supervision of apportionment of funds, the disbursement of money, the audit of expenses, the setting of eligibility standards, the application of uniform practices, the equalization of subsistence budgets, the operation of single men's camps, and the maintenance of the Federal stamp plan. This type of essential State supervision which must necessarily remain is costly if properly exercised, and the cost of this administration must be provided for in addition to the funds made available for relief and county administrative expenses under any such plan as is proposed in this bill.

Whatever may be said for the integration of administration of dole and cash benefits to purely social welfare cases, that is, to unemployable indigents, I can see no sense in placing among the social welfare aids employable persons able and willing to work and for whom work can and should be provided. It seems to me that if relief applicants who are unemployable are to be segregated from those who are capable of performing useful work and services, that segregation should be made through a State Department of Employment engaged in carrying forward a comprehensive works program as the primary purpose of unemployment relief. The distinction between employables and unemployables must be made no matter what criteria are applied. That fact is recognized in the experience of the administration of the Employment Department.

The provisions of the proposed bill generally do not recognize the basic differences in the concept, character and handling of relief as contrasted with employment service and insurance. The bill fails to recognize the standards of the employment service such as placement of workers on the basis of skill, ability, experience, intelligence, personality and character of the workers seeking a job. Nowhere are accepted standards of the service, hours or working conditions recognized. In fact, the bill actually provides that public works wages shall be less than the prevailing scale. No minimum wage standards are fixed under this regressive proposal, excepting only that they should be higher than the dole. Established employment wage standards would be made to suffer.

The consolidation of the unemployment insurance and reemployment service with social aid administrations, such as is proposed in this measure, would combine services created on entirely different principles. Employment opportunities and unemployment insurance are based upon statutory rights and contractual obligations. Integrating the employment security system with social welfare aids as provided in this bill would have the tendency to undermine the employment security system set up under the Unemployment Reserves Commission. This attempt at such integration presents a question whether the State of California could continue to cooperate with the Federal Government under the Social Security Act and could continue to cooperate under the Wagner-Peyser Act. If that were made impossible, the State of California would not only lose the several million dollars now granted each year to the State for the administration of its laws, but the California Insurance Act

could not be certified for tax offset under Title IX of the Social Security Act. This would mean that California employers would be obliged to pay the full three per cent of the Federal unemployment insurance tax to the general fund in the United States treasury. In 1939, because of its failure to provide funds under the Wagner-Peyser Act, the State of South Dakota attempted to combine the public employment offices and the public assistance of county welfare offices, but the Social Security Board refused to approve the arrangement as not being acceptable under the terms of the Social Security Act. The general plan proposed in this bill was tried out in the State of Washington, a State with a program in all the departments proposed to be consolidated by this bill very much smaller than those of similar departments in California. But the State of Washington abandoned this plan of administration after two or three years of trial because it was too unwieldy to operate. The work of such a huge department immediately presents many intricate administrative problems because of the different services and different types of administration involved. The physical structure of such a department would be both cumbersome and confusing. Grants of funds would necessarily require different systems of accounting and management, added expenses of over all controls would be necessary, resulting in increase of administrative costs.

That I have not mentioned other features of this objectionable bill which I feel also justify criticism does not mean my approval of other provisions of the bill, although some may be found which taken by themselves in a proper bill would not be objectionable.

Respectfully yours,

CULBERT L. OLSON,
Governor of California.

CLO:M.

Permission to Print Communication in the Journal.

Mr. Wollenberg asked for, and was granted, permission to allow the Joint Fact-Finding Committee on Employment to print a statement in the Journal in answer to the Governor's message.

Answer to the Governor's Message of May 20, 1940, by the Assembly Fact-Finding Committee on Employment.

Pursuant to the above motion, the following reply to the Governor's letter, prepared by Mr. Wollenberg, at the request of the Joint Fact-Finding Committee on Employment was ordered printed in the Journal:

It is apparent from a reading of the Governor's Message of May 20, 1940, to the Senate and Assembly, that Governor Olson is not thoroughly acquainted with the entire proposed bill drafted by the Joint Committee on Relief and known as Senate Bill No. 86. At least those persons charged with study of this proposed bill, if there were such, failed to inform Governor Olson fully as to its provisions. The message of the Governor is devoted entirely to argument seeking to refute return of relief to the counties. In fact the Governor says: "It is a measure intended only to transfer the administration of the dole system of relief from the State to the counties."

Senate Bill No. 86 is designed to accomplish for California a truly integrated program under a Department of Employment charged with the administration of the Bureau of Unemployment Insurance, State Employment Service, the various categorical aids, and unemployment relief benefits. Certainly these services of the State are all so interrelated as to fall within the scope of one administrative head. The Governor in his message has failed to recognize this important fact but rather prefers to call the bill the product of "muddled thinking." Governor Olson says, in referring to Senate Bill No. 86, "that it ignores the fact that relief is a single phase of the problem of unemployment." Contrary to this, a reading of the bill in its entirety conclusively shows the approach to the entire problem of employment in all its phases was paramount in the committees' minds. It is significant that in February of this year, the Governor vetoed another bill, purely a county control bill, on the grounds that it did not provide for a comprehensive, integrated program, as does Senate Bill No. 86.

The Governor is correct in his belief that relief does not provide, in itself, a solution to the employment problem, yet by inference he indicates it may be possible to solve this complex question by legislation; were this possible why has it not been proposed in its proper form, elsewhere, if not in California by the present Governor? Certainly if any legislation setting up an integrated problem is to be adopted it must cover all phases of the problem. If relief is the result of unemployment, then any approach having for its purpose a solution must be based on employment. Finding jobs for those on relief will, as has been many times proven, lessen the load unless we are to adopt a policy of carrying a permanently high load of dependents for the sole purpose of expanding State functions.

The Governor states that work projects have been completely curtailed, and has

fallen into error in citation of several sections of the bill; the entire program, camp management, and responsibility is left with the State as presently existing, these functions will continue regardless of county lines; the work to be done is all of a "public" nature, necessary and useful to all the people of the State. True it is not "Production for Use," nor is it work that can be of a nature competitive with private industry.

As to appropriations for work of this kind, it is apparent to any fair-minded person that costs of the actual work must be supplied for the particular projects from either available funds now in the hands of a directly interested department, or from newly appropriated funds earmarked for the specific project. Certainly if forest work or conservation work is to be done under the Forestry Department, that service must be paid for from within that department.

The Governor objects to the counties sharing in the costs of projects purely of a county nature. This is the present plan used by the Federal Government in its sponsorship requirements in WPA. Senate Bill No. 86 allows counties to set up their own work projects in addition to the State; this is to provide work for those who, because of family ties, can not be sent about the State in its Camp System, and to allow the counties to do much needed public work purely of county benefit and interest.

Rather, therefore, than curtailing work programs, Senate Bill No. 86 sets up a thoroughly comprehensive program on both State and county levels.

I do not believe this is the time or place to go into an extended discussion of "County Control"; suffice it to say that Senate Bill No. 86 provides for county administration with State supervision.

Introduction and Reference of Bill.

The following bill was introduced, and read the first time:

Assembly Concurrent Resolution No. 4: By Mr. Yorty—Relative to the completion of a year by the air lines of this country without a major accident.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, manimous consent to consider Assembly Concurrent Resolution No. 4, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 4.

Assembly Concurrent Resolution No. 4 read, and adopted by the following vote:

AYES—Allen, Andrews, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gilbert, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellens, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—68.

NOES—None.

Title read and approved. Bill ordered to print, and transmitted to the Senate.

Motion to Withdraw Assembly Bill No. 5 from Committee.

In compliance with a notice given on the previous day Mr. O'Donnell moved that Assembly Bill No. 5 be withdrawn from the Committee on River Navigation, Reclamation and Flood Control and be placed upon the calendar.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, two o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to lock the doors, and to bring in all absent members.

Further Proceedings Under Call of the Assembly Dispensed With.

At 2 o'clock and twenty-two minutes p.m., on motion of Mr. O'Donnell, further proceedings under the call of the Assembly were dispensed with.

Motion to withdraw Assembly Bill No. 5 from committee lost by the following vote:

AYES—Andreas, Atkinson, Bennett, Burns, Hugh M., Burns, Michael J., Cassidy, Cronin, Crowley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Gilbert, Gilmore, Hawkins, Heisinger, Kilpatrick, King, Lore, Maloney, Massion, Meehan, Miller, George P., Millington, O'Donnell, Pelletier, Richie, Robertson, Rosenthal, Tenney, Thurman, and Walker—34.

NOES—Allen, Bashore, Burson, Call, Carlson, Clarke, Daley, Dilworth, Field, Fulcher, Green, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Lyon, Miller, Eleanor; Phillips, Poulson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Thorp, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—36.

Third Reading of Assembly Bills.

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Bill read third time.

Motion for Committee of the Whole.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole for the consideration of Assembly Bill No. 2. The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Houser moved a call of the Assembly.

Request for Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the Assembly.

Motion carried by the following vote:

AYES—Allen, Call, Carlson, Clarke, Cronin, Daley, Desmond, Dilworth, Field, Fulcher, Green, Houser, Johnson, Kellems, Kepple, Kilpatrick, Leonard, Maloney, Miller, Eleanor; Miller, George P., Millington, Phillips, Richie, Robertson, Rosenthal, Salsman, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—38.

NOES—Andreas, Bashore, Bennett, Burns, Michael J., Crowley, Del Mutolo, Dills, Donnelly, Doyle, Evans, Gilmore, Heisinger, King, Knight, Massion, Meehan, O'Donnell, Pelletier, Sawallisch, and Walker—20.

Motion carried. Time, two o'clock and twenty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to lock the doors, and to bring in all absent members.

Proceedings Under Call of the Assembly by Unanimous Consent.**Consideration of House Resolution No. 9.****House Resolution No. 9.**

Resolved by the Assembly of the State of California, That Assembly Standing Rule No. 27 of this second extraordinary session, convened on May 13, 1940, is hereby amended to read as follows:

"27. Every member actually in the Assembly Chamber when a roll call is required, shall record his vote openly and without debate, unless the Assembly shall, after he has stated his reasons for not doing so, excuse him. All motions to excuse a member shall be made before the Assembly divides, or before the recording of ayes and noes is commenced. Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present.

The name of any member who refuses to vote as required by this rule after being requested by the Speaker to do so and who has not been excused from doing so shall be entered on the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may.

if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed on the Journal, provided no such explanation shall exceed fifty words in length.

In addition to the entry of his name on the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker.

Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to section 9 of Article IV of the Constitution.

A member may submit a written explanation of his vote on any bill or house resolution, and have such explanation printed on the Journal immediately following such vote, provided no such explanation shall exceed fifty words in length."

House Resolution No. 9 read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Cronin, Daley, Del Mutolo, Desmond, Dills, Donnelly, Evans, Field, Fulcher, Gilmore, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, Kuchel, Leonard, Maloney, Massion, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weyhret, Wollenberg, and Mr. Speaker—58.

NOES—Dilworth, and Green—2.

Further Proceedings Under Call of the Assembly Dispensed With.

At two o'clock and twenty-seven minutes p.m., on motion of Mr. Houser, further proceedings under the call of the Assembly were dispensed with on the motion for committee of the whole.

Motion for committee of the whole lost by the following vote:

AYES—Allen, Burns, Hugh M., Call, Carlson, Daley, Del Mutolo, Desmond, Dilworth, Evans, Hawkins, Johnson, Kepple, Kuchel, Leonard, Maloney, Millington, Phillips, Poulson, Robertson, Salsman, Sheridan, Thurman, Turner, Waters, and Mr. Speaker—25.

NOES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Clarke, Cronin, Crowley, Dills, Donnelly, Doyle, Field, Fulcher, Gilbert, Gilmore, Green, Heisinger, Houser, Kellems, Kilpatrick, King, Knight, Lore, Massion, Meehan, Miller, Eleanor; Miller, George P., O'Donnell, Pelletier, Richie, Rosenthal, Sawallisch, Scudder, Stream, Tenney, Thorp, Walker, Watson, Weber, Weyhret, and Wollenberg—42.

Introduction and Reference of Bills (Resumed).

The following bill was introduced, and read the first time.

Assembly Joint Resolution No. 2: By Messrs. Miller, George P., Millington, Gannon, Tenney and King—Relative to memorializing the President and Congress to increase the land defenses of the United States.

Referred to Committee on Rules.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Massion, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank O. Georgi.

Adjournment.

At two o'clock and twenty-nine minutes p.m., on motion of Mr. Houser, the Speaker declared the Assembly adjourned this day out of respect to the memory of the late Assemblyman Fred Reaves, who this day passed away, until two o'clock p.m., Tuesday, May 21, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY
NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 21, 1940.

At two o'clock p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Mntolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor, Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Redwine, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Seudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—76.

Quorum present.

Prayer.

The prayer was dispensed with by order of the Speaker.

Reading of the Journal Dispensed With.

On motion of Mr. Allen, the further reading of the Journal of Monday, May 20, 1940, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Gannon, on motion of Mr. Millington.

Mr. Gilbert, on motion of Mr. Hawkins.

Report of Standing Committee.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1940.

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 14.

Assembly Joint Resolution No. 2.

Respectfully reports the same back with the recommendation: Be adopted.

DESMOND, Chairman.

House Resolution No. 14 ordered on third reading calendar.

Assembly Joint Resolution No. 2 ordered to engrossment.

Senate Message.

SENATE CHAMBER, SACRAMENTO, May 21, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Joint Resolution No. 1.

J. A. BEEK, Secretary of Senate.

By JOHN F. LEA, Assistant Secretary.

The above reported bill ordered to enrollment.

**Motion to Expunge Record and Rescind Action on
House Resolution No. 15.**

On motion of Mr. Lyon, the record was expunged and the action rescinded whereby House Resolution No. 15 was adopted, by the following vote:

AYES—Atkinson, Bashore, Bennett, Burson, Call, Carlson, Clarke, Collins, Cronin, Daley, Del Mutolo, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gilhuore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kilpatrick, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Rosenthal, Salsman, Seudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Yorty—58.

NOES—None.

Consideration of House Resolution No. 15.

House Resolution No. 15.

Relative to the Indians of California.

Motion to Amend House Resolution No. 15.

Mr. Lyon moved to amend House Resolution No. 15 as follows:

Amendment No. 1.

In the last line of the second paragraph of the recitals of said resolution as printed on page 53 of the Assembly Journal for May 17, 1940 (which paragraph begins with the words "Whereas, if the pending claims"), strike out "and", and insert in lieu thereof the following: "now, therefore, be it".

Amendment No. 2.

Strike out the third paragraph of the recitals of said resolution as printed at page 53 of the Assembly Journal (which paragraph begins with the words "Whereas, to accomplish" and ends with the words "now, therefore, be it").

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to consider House Resolution No. 15, as amended, at this time, without reference to reprint.

House Resolution No. 15 as amended read and adopted.

House Resolution No. 15, as Amended.

By Mr. Stream:

WHEREAS, The Indians of California have claims pending against the Government of the United States based upon certain treaties signed in 1851 and 1852; and

WHEREAS, If the pending claims can be settled at the earliest possible date many Indians in California will be removed from the relief rolls, with a consequent saving to the taxpayers of this State; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby respectfully urges His Excellency, Culbert L. Olson, the Governor of the State of California, that if he should issue a future proclamation for the convening of the Legislature in special session that he consider the inclusion as one of the items on such proclamation the subject of considering the application of section 8025 of the Welfare and Institutions Code; and be it further

Resolved, That a copy of this resolution be delivered immediately by the Chief Clerk of the Assembly to His Excellency, Culbert L. Olson, the Governor of the State of California.

Third Reading of Assembly Bill No. 2.

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Bill read third time.

Motion to Amend Assembly Bill No. 2.

Mr. Knight moved to amend Assembly Bill No. 2 as follows:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "to", insert the following: "and become a part of the unappropriated moneys in".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and shall not again be drawn from the general fund except in consequence of some other appropriation made by law."

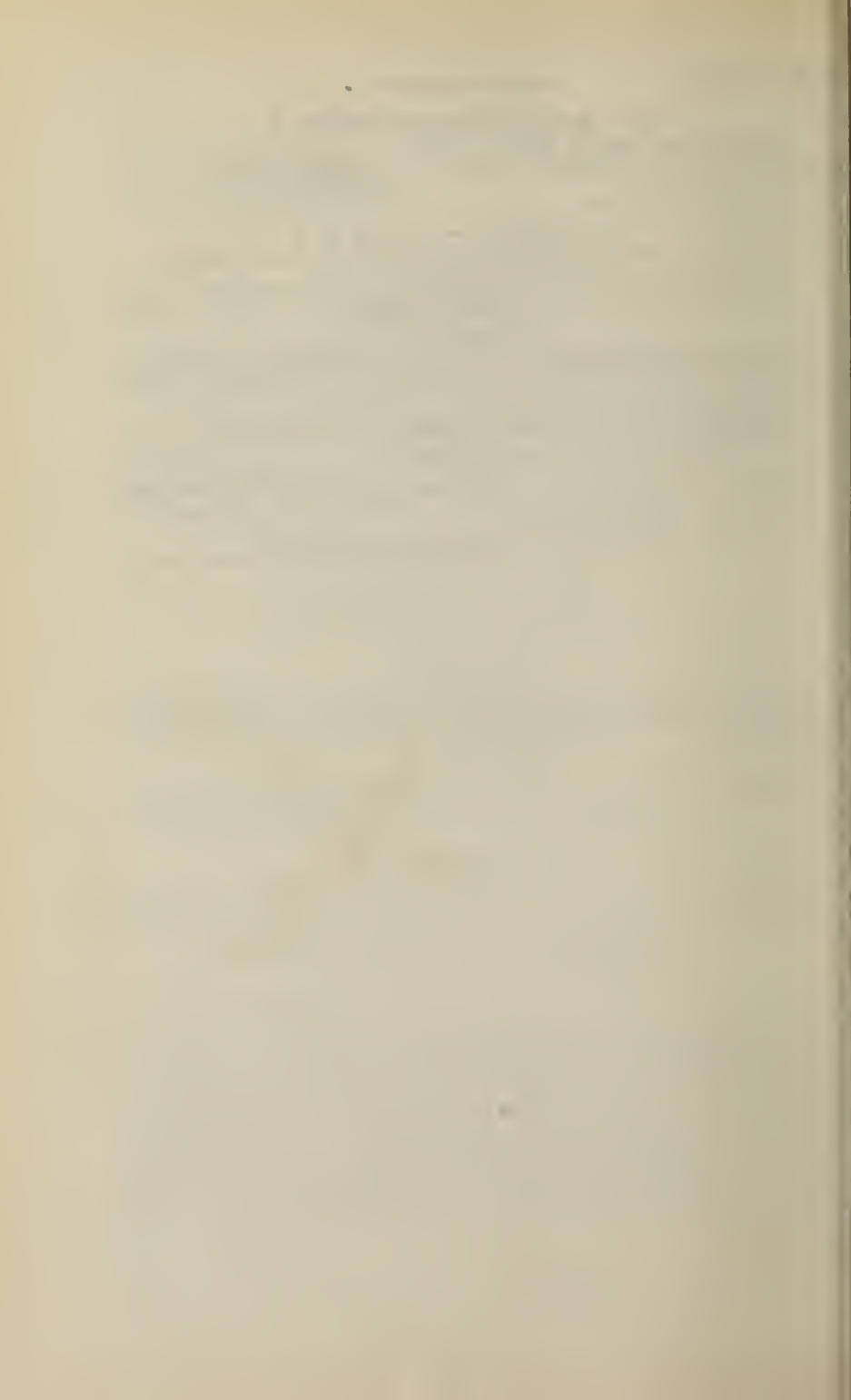
Amendments adopted.

Assembly Bill No. 2 ordered to reprint and re-engrossment.

Adjournment.

At two o'clock and thirty minutes p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day until two o'clock p.m., Wednesday, May 22, 1940.

DAVID V. OLIVER, Minute Clerk.



CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY
TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 22, 1940.

At two o'clock p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gardiner Johnson, Speaker Pro Tempore of the Assembly, in the chair.

Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor, Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—74.

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Rev. Alfred Tonness, executive secretary, Church Council of Sacramento.

Reading of the Journal Dispensed With.

On motion of Mr. Sheridan, the further reading of the Journal of Tuesday, May 21, 1940, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Gilbert, on motion of Mr. Hawkins.

Mr. Gannon, on motion of Mr. Millington.

Reports of Standing Committee.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Joint Resolution No. 2.

And reports the same correctly re-engrossed.

CASSIDY, Chairman.

The above reported bill ordered on third reading calendar.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:
Assembly Bill No. 2.
 And reports the same correctly engrossed.

CASSIDY, Chairman.

The above reported bill ordered on third reading calendar.

Third Reading of Assembly Bills.

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause Adopted.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Atkinson, Bennett, Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Muto, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Maloney, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Watson, Weber, Weybret, and Wollenberg—58.

NOES—None.

Bill read third time, and passed by the following vote:

AYES—Andreas, Atkinson, Bennett, Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Muto, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Watson, Weber, Weybret, and Wollenberg—61.

NOES—Heisinger—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 2—Relative to memorializing the President and Congress to increase the land defenses of the United States.

Bill read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bennett, Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Muto, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Rosenthal, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Watson, Weber, Weybret, Wollenberg, and Yorty—65.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Allen, Andreas, Atkinson, Bennett, Burns, Michael J., Burson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Muto, Desmond, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, Pelletier, Poulson, Richie, Robertson, Rosenthal, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, and Wollenberg—58.

NOES—Heisinger—1.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 1—Relative to the sponsorship of a WPA project to abate a dangerous nuisance.

Bill read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Muto, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gilmore, Green, Hawkins, Hei-

inger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lyon, Maloney, Massion, Miller, Eleanor; Miller, George P., Millington, Pelletier, Phillips, Poulson, Robertson, Rosenthal, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Weber, Weybret, and Wollenberg—59.

NOES—None.

Title read and adopted. Bill ordered transmitted to the Senate.

Resolution.

House Resolution No. 18.

By Messrs. Voigt and Lyon:

Resolved, That the action of Jack Carl Greenburg, Chief Clerk of the Assembly for the fifty-third (first extraordinary) session, in employing necessary assistance in completing the Journal records of the Assembly for the fifty-third (first extraordinary) session, be and the same is hereby ratified and approved, and the State Controller is hereby authorized and directed to draw his warrant in favor of the following named person for the items and amount set opposite his name, upon the fund for the payment of officers and attaches of the Assembly, and the Treasurer is hereby directed to pay the same:

Albert Day, Journal Clerk-----4 days at \$7 per day
(February 26, 27, 28, 29, 1940)

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to consider House Resolution No. 18, at this time, without reference to committee.

House Resolution No. 18 read, and adopted by the following vote:

AYES—Allen, Atkinson, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Desmond, Donnelly, Doyle, Field, Fulcher, Gallagher, Gaunon, Gilmore, Green, Heisinger, Houser, Johnson, Kepple, Kilpatrick, King, Kuchel, Leonard, Maloney, Massion, Meehan, Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Poulson, Rosenthal, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Weybret, and Wollenberg—50.

NOES—None.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. E. Bond, Elsinore; Frank Miller of Banning; C. E. Deweese, Mayor of Banning; and Rev. Paul Lomax of Banning.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Winifred Jones, Miss Marie E. Lawrence and Miss Palma Benedetti.

On request of Mr. Del Mutolo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Father William E. Riker of Holy City.

On request of Mr. Hugh M. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Catherine Caprino and Mrs. L. D. Caprino of Fresno; also Jenell L. Dickenson of Hanford.

On request of Mr. Kellems, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to W. W. Milliken, Commissioner of Public Works of Santa Monica.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Harriet Huckathorne, teacher, and the following students of the Chiles Valley School of Napa County: Richard Davies, Mariana Mooney, John Rolph McKee, Elizabeth Wing, Eugene Myers, Abigail Rolph McKee, Rose-marie Stetson and Harold Mjolsnes.

Adjournment.

At three o'clock and forty minutes p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day until two o'clock p.m., Thursday, May 23, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY
ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 23, 1940.

At two o'clock p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burson, Carlson, Cassidy, Clarke, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Gallagher, Gilmore, Green, Hawkins, Houser, Johnson, Kellems, Kepple, Kilpatrick, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Rosenthal, Salsman, Sawalisch, Sheridan, Stream, Tenney, Thurman, Turner, Walker, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Rev. Alfred Tonness, executive secretary, Church Council of Sacramento.

Reading of the Journal Dispensed With.

On motion of Mr. Gilmore, the further reading of the Journal of Wednesday, May 22, 1940, was dispensed with.

Senate Messages.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 2—Relative to adjournment sine die the second extraordinary session of the fifty-third Legislature of State of California.

J. A. BEEK, Secretary of Senate.

By JOHN F. LEA, Assistant Secretary.

Senate Concurrent Resolution No. 2 read, and referred to the Committee on Rules.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 1—Relative to memorializing the President and Congress with reference to the authorization of flood control projects in California.

J. A. BEEK, Secretary of Senate.

By JOHN F. LEA, Assistant Secretary.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to consider Senate Joint Resolution No. 1, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 1.

Senate Joint Resolution No. 1 read, and adopted by the following

Vote:

AYES—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gilmore, Green, Hawkins, Houser, Johnson, Kepple, Kilpatrick, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Poulson, Richie, Robertson, Rosenthal, Salsman, Scudder, Sheridan, Stream, Tenney, Thurman, Turner, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Reports of Standing Committees.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Joint Resolution No. 1.

And reports the same correctly enrolled, and presented to the Governor on this twenty-third day of May, 1940, at twelve o'clock m.

CASSIDY, Chairman.

On River Navigation, Reclamation and Flood Control.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1940.

MR. SPEAKER: Your Committee on River Navigation, Reclamation and Flood Control, to which was referred:

Assembly Bill No. 6.

Respectfully reports the same back with the recommendation: Do pass.

WEBER, Chairman.

Second Reading of Assembly Bill No. 6 (Out of Order).

Assembly Bill No. 6—An act to amend the title and sections 1, 2, 7, and 8 of, to repeal sections 9, 10 and 11 of, and to add sections 9 and 10 to an act entitled "An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the department of public works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts," approved July 9, 1935, relating to the Rector Dam Authority, changing the membership, powers, and duties thereof, prescribing the duties of the Department of Public Works in relation thereto, and making an appropriation therefor.

Bill read second time, and ordered to engrossment.

Report of Standing Committee.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1940.

Assembly Bill No. 6.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: And reports the same correctly engrossed.

CASSIDY, Chairman.

The above reported bill ordered on third reading calendar.

Consideration of House Resolution No. 14.

House Resolution No. 14.

Relative to preservation of scrap iron.

House Resolution No. 14 read, and adopted.

House Resolution No. 14.

WHEREAS, Large quantities of scrap iron are now being collected in this State and exported to foreign countries; and

WHEREAS, In the present chaotic condition of world affairs, it is essential that materials such as scrap iron, be conserved for possible use by the Government of the United States; and

WHEREAS, The establishment of community yards for the collection of scrap iron would be an immediate practical step toward enabling the people of the State of California to furnish such scrap iron to the Government of the United States; now, therefore, be it

Resolved by the Assembly of the State of California, That this body recommends to the city councils and the boards of supervisors of the cities, cities and counties and counties of this State that they make available to the people at convenient and accessible places, municipal and community yards for the collection and preservation of scrap iron; and, be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to forward copies of this resolution to the several city councils and the boards of supervisors of the said cities, cities and counties and counties.

Resolution.

House Resolution No. 19.

By Messrs. Johnson, Andreas, Kepple, Stream, Kelleins, and Miss Miller:

WHEREAS, Word has filtered into the Assembly Chamber that on the 22nd day of May, 1940, one of our esteemed colleagues has filed in Sacramento County a notice of intention to enter into the bonds of matrimony; and

WHEREAS, The anticipated early adjournment or recess of the Extraordinary Session of the California Legislature will make it impossible for many of the members of this Assembly to remain in Sacramento until the three long days of waiting have expired; and

WHEREAS, All of the members are pleased to know of the happiness which has come to The Honorable Gordon W. Corwin, Assemblyman from the Seventy-Third District, and his fair fiancée, Mrs. Ruth Moon, and desire to take this opportunity of expressing their most sincere congratulations to both of them; now, therefore, be it

Resolved by the Assembly of the State of California, That its members wish the prospective bride and groom unbounded joy and happiness, and expresses the hope that they may be blessed with long lives of devoted companionship; and, be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to forward a suitably engrossed copy of this resolution to The Honorable Gordon W. Corwin and his chosen bride.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to consider House Resolution No. 19, at this time, without reference to committee.

House Resolution No. 19 read, and adopted unanimously.

Guests Extended Privilege of Assembly Floor.

On request of Messrs. Allen and Millington, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Otis N. Brown, Commander-Chief, Veterans of Foreign Wars, Greensboro, North Carolina; Harold (Billy) Lull, Department Commander, Veterans of Foreign Wars, South Gate, Calif.; Harold Gustafson, Senior Vice-Commander, Veterans of Foreign Wars; Louis Rahlin, Itinerary Chairman, Veterans of Foreign Wars, Department of California, Sacramento; Joe Flores, Publisher for the Department of California Veterans of Foreign Wars; Mrs. Otis N. Brown, Greensboro, North Carolina; Anthony E. Boicelli, Chairman Veterans Welfare Board of California, San Francisco; Elizabeth Lewis, Emily Rahlin, Mrs. Mamie Van der Volgen, Mrs. Fred Miles, Mrs. Fred Russ, Meta Hansen, Mrs. George Hegleman, Lansdale Post Auxiliary, No. 67, Sacramento; Doc Patterson, Commander, Lieut. Lansdale Post No. 67, Sacramento, and Louis Rahlin, Past Post Commander; Fred Miles, Past Post Commander, George J. Hegleman, Past Post Commander, and J. R. Taylor, Past Post Commander, all of Lieut. Lansdale Post No. 67, Sacramento.

On request of Mr. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. E. C. Hurd, Martha Calkins and Mrs. L. C. Calkins.

On request of Mr. Tenney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Herbert J. Wilkings, Band Director, of Los Angeles.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert Gannon of Sacramento.

On request of Mr. Collins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Joan Quinn of San Francisco.

Adjournment.

At two o'clock and forty minutes p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day until two o'clock p.m., Friday, May 24, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (SECOND EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY
TWELFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 24, 1940.

At two o'clock p.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Mechan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Redwine, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—77.

Quorum present.

Prayer.

Upon invitation of the Speaker, prayer was offered by Rev. Alfred Tonness, executive secretary, Church Council of Sacramento.

Reading of the Journal Dispensed With.

On motion of Mr. Desmond, the further reading of the Journal of Thursday, May 23, 1940, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:

Mr. Gilbert, on motion of Mr. Hawkins.

Senate Messages.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 33—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately;

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By JOHN F. LEA, Assistant Secretary.

Senate Bill No. 33 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 10 read first time, and referred to Committee on Ways and Means.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 2—Relative to damage by earthquake in Imperial Valley.

J. A. BEEK, Secretary of Senate.
By JOHN F. LEA, Assistant Secretary.

Request for Unanimous Consent.

Mr. Walker asked for, and was granted, unanimous consent to consider Senate Joint Resolution No. 2, at this time, without reference to committee or calendar.

Consideration of Senate Joint Resolution No. 2.

Senate Joint Resolution No. 2 read, and adopted by the following vote:

AYES—Allen, Atkinson, Bennett, Burns, Hugh M., Burson, Call, Carlson, Clarke, Collins, Corwin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuehel, Leonard, Lyon, Maloney, Miller, Eleanor; Millington, O'Donnell, Pelletier, Phillips, Richie, Robertson, Rosenthal, Salsman, Sawalliseh, Sender, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Concurrent Resolution No. 1.

J. A. BEEK, Secretary of Senate.
By JOHN F. LEA, Assistant Secretary.

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 23, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 1.

Assembly Bill No. 2.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By JOHN F. LEA, Assistant Secretary.

Consideration of Senate Amendments to Assembly Bill No. 1.

Assembly Bill No. 1—An act making an appropriation to the Reclamation Board to augment Item 206 of the Budget Act of 1939, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1?

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out "Whereas, the Reclamation Board jointly with", and strike out lines 2 to 13, inclusive, and insert in lieu thereof the following: "In addition to any money other-".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 21, and insert in lieu thereof the following: "in carrying out the construction program adopted by the Reclamation Board jointly with the California Debris Commission, for the units of the Sacramento River Flood Control Project consisting of levee construction and repair along the Feather and Sacramento rivers and their tributaries and along the Sutter By-pass and the Yolo By-pass, and for the acquisition of lands, rights of

way, easements, and flowage easements and for incidental construction and for the administration and overhead of the Reclamation Board."

Amendment No. 3.

On page 1 of the printed bill, after line 21, insert the following:

"SEC. 1.5. In addition to any other provisions of law which may be applicable hereto, no part of the money appropriated by this act shall be expended for any purpose other than the construction of new works or structures, unless such expenditure and purpose is first approved by the State Controller and by the Chief Engineer and General Manager of the State Reclamation Board."

The roll was called, and the Assembly concurred in the Senate amendments to Assembly Bill No. 1 by the following vote:

AYES—Allen, Andreas, Atkinson, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Corwin, Crowley, Daley, Desmond, Dilworth, Donnelly, Field, Fulcher, Gallagher, Gannon, Gilmore, Heisinger, Houser, Johnson, Kellem, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Maloney, Miller, Eleanor; Millington, O'Day, O'Donnell, Phillips, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2.

Assembly Bill No. 2—An act making an appropriation to the Department of Natural Resources for fire prevention and suppression, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2?

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, strike out "\$430,315", and insert in lieu thereof the following: "\$300,000".

The roll was called, and the Assembly concurred in the Senate amendment to Assembly Bill No. 2 by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Heisinger, Houser, Johnson, Kellem, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lyon, Maloney, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2 ordered to enrollment.

Reports of Standing Committee.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: **Senate Bill No. 10.**

Respectfully reports the same back with the recommendation: Do pass.

Signed out by committee:

MILLINGTON, Chairman.	KNIGHT.
TURNER.	WEBER.
BURNS, HUGH M.	GANNON.
THURMAN.	MILLER, GEORGE P.
DONNELLY.	HAWKINS.
O'DAY.	WALKER.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: **Senate Bill No. 33.**

Respectfully reports the same back with the recommendation: Do pass.

MILLINGTON, Chairman.

Consideration of Senate Bill No. 33.

Case of Urgency Resolution.

By Mr. Carlson:

Resolved, That Senate Bill No. 33 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that sec-

tion requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Atkinson, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Field, Fulcher, Gallagher, Gannon, Gilmore, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Kuechel, Leonard, Maloney, Meehan, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—62.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, section 15, of the Constitution suspended for the purpose of further considering Senate Bill No. 33, at this time.

Second Reading of Senate Bill No. 33.

Senate Bill No. 33—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Atkinson, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Kuechel, Leonard, Maloney, Massion, Meehan, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—64.

NOES—None.

Third Reading of Senate Bill No. 33.

Senate Bill No. 33—An act making an appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, for the cost of repair and restoration of property damaged or destroyed by storms and floods; prescribing conditions, restrictions and limitations as to the expenditure thereof; declaring the urgency of the act and that it take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Burns, Hugh M., Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Doyle, Evans, Fulcher, Gallagher, Gannon, Gilmore, Heisinger, Houser, Kellems, Kepple, Kilpatrick, Kuechel, Leonard, Maloney, Massion, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—Allen, Bashore, Call, Dilworth, Field, and Robertson—6.

Title read and approved. Bill ordered transmitted to the Senate.

Consideration of Senate Bill No. 10.

Case of Urgency Resolution.

By Mr. Weber:

Resolved, That Senate Bill No. 10 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, considered engrossed, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, Kuechel, Leonard, Maloney, Massion, Meehan, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—57.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, section 15, of the Constitution suspended for the purpose of further considering Senate Bill No. 10, at this time.

Second Reading of Senate Bill No. 10.

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bennett, Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Heisinger, Houser, Johnson, Kellems, Kilpatrick, Knight, Kuchel, Leonard, Lyon, Maloney, Meehan, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Richie, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—62.

NOES—None.

Third Reading of Senate Bill No. 10.

Senate Bill No. 10—An act making an appropriation for the construction of a dam and distribution system in Napa Valley, declaring the urgency hereof, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Atkinson, Burns, Hugh M., Burns, Michael J., Call, Carlson, Cassidy, Clarke, Collins, Corwin, Cronin, Crowley, Daley, Desmond, Dills, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Heisinger, Houser, Johnson, Kilpatrick, Kuchel, Leonard, Lyon, Maloney, Meehan, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Rosenthal, Sawallisch, Scudder, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—54.

NOES—Allen, Bashore, Bennett, Kepple, Knight, Robertson, and Salsman—7.

Title read and approved. Bill ordered transmitted to the Senate.

Report of Standing Committee (Resumed).

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 2.

Respectfully reports the same back with the recommendation: Be adopted.

DESMOND, Chairman.

Consideration of Senate Concurrent Resolution No. 2.

Senate Concurrent Resolution No. 2—Relative to adjournment sine die of the second extraordinary session of the Fifty-third Legislature of the State of California.

Senate Concurrent Resolution No. 2 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Corwin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gannon, Gilmore, Green, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, Knight, Kuchel, Leonard, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Rosenthal, Salsman, Sawallisch, Scudder, Sheridan, Stream, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Resolutions.

House Resolution No. 20.

By Mr. Voigt:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Patrick and Moise-Klinkner Co., badges.....	\$12 36
Hub Florists, San Francisco.....	28 28

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to consider House Resolution No. 20, at this time, without reference to committee.

House Resolution No. 20 read, and adopted by the following vote:

AYES—Allen, Andreas, Atkinson, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Corwin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gannon, Gilmore, Green, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, Kuchel, Leonard, Meehan, Miller, Eleanor; Pelletier, Phillips, Poulson, Richie, Rosenthal, Salsman, Sawallisch, Sender, Sheridan, Stream, Tenney, Thorp, Thurman, Voigt, Walker, Waters, Watson, Weber, Weybreit, Wollenberg, and Mr. Speaker—55.

NOES—Cassidy, and Robertson—2.

House Resolution No. 21.

By Mr. Kuchel:

Resolved, That the Assembly hereby extends to the Sergeant-at-Arms, Wilkie Ogg, its thanks for the efficient manner in which he and his corps of assistants have performed the duties of their various offices during the current special sessions of the California Legislature; and he it further

Resolved, That a copy of this resolution, suitably engrossed, be presented to Wilkie Ogg, that he may transmit the contents thereof to the attaches under his supervision.

Request for Unanimous Consent.

Mr. Kuchel asked for, and was granted, unanimous consent to consider House Resolution No. 21, at this time, without reference to committee.

House Resolution No. 21 read, and adopted.

Committee from the Senate.

A committee from the Senate, consisting of Senators Breed, Nielsen and Mayo, informed the Assembly that they were now ready to adjourn the fifty-third (second extraordinary) session of the Legislature.

Motion to Correct Journals.

On motion of Mr. Lyon, the following Journals (second extraordinary session) approved as corrected by the minute clerk:

Assembly Daily Journals of Monday, May 13, 1940; Tuesday, May 14, 1940; Wednesday, May 15, 1940; Thursday, May 16, 1940; Friday, May 17, 1940; Monday, May 20, 1940; Tuesday, May 21, 1940; Wednesday, May 22, 1940; and Thursday, May 23, 1940.

Senate Messages.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Assembly Joint Resolution No. 2.

J. A. BEEK, Secretary of Senate.

By JOHN F. LEA, Assistant Secretary.

The above reported bill ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate returns without further action:

Assembly Concurrent Resolution No. 3.

Assembly Concurrent Resolution No. 4.

J. A. BEEK, Secretary of Senate.

By JOHN F. LEA, Assistant Secretary.

Reports of Standing Committees (Resumed).**On Constitutional Amendments.**

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: Your Committee on Constitutional Amendments to which was referred:

Assembly Concurrent Resolution No. 2.

Respectfully reports the same back without further action.

CALL, Chairman.

On River Navigation, Reclamation and Flood Control.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940.

MR. SPEAKER: Your Committee on River Navigation, Reclamation and Flood Control, to which was referred:

Assembly Bill No. 3.

Assembly Bill No. 4.

Assembly Bill No. 5.

Assembly Bill No. 7.

Assembly Bill No. 8.

Assembly Bill No. 9.

Assembly Bill No. 10.

Assembly Bill No. 11.

Respectfully reports the same back without further action.

WEBER, Chairman.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1940

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1.

Assembly Bill No. 2.

Assembly Concurrent Resolution No. 1.

Assembly Joint Resolution No. 2.

And reports the same correctly enrolled and presented to the Governor on this 24th day of May, 1940, at 4:55 p.m.

CASSIDY, Chairman.

Resolutions.**House Resolution No. 22.**

By Mr. Millington:

Resolved, That the Speaker appoint a committee of three to wait upon the Senate, and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

House Resolution No. 22 read, and adopted.

Appointment of Committee.

The Speaker appointed Messrs. Millington, Green and Andreas as a special committee to inform the Senate that the Assembly was now ready to adjourn the fifty-third (second extraordinary) session.

House Resolution No. 23.

By Mr. Fulcher:

Resolved, That the Speaker appoint a committee of three to wait upon His Excellency, Culbert L. Olson, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Appointment of Committee.

The Speaker appointed Messrs. Fulcher, Thurman and Atkinson as a special committee to inform the Governor that the Assembly was now ready to adjourn the fifty-third (second extraordinary) session.

Approval of Journal.

On motion of Mr. Desmond, the Journal of Friday, May 24, 1940, was approved as corrected by the Minute Clerk.

Guests Extended Privilege of Assembly Floor.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following named students of the Kinney School, Sacramento: Audrey Stone, Mitsugi Takamoto, SENCHI Yoshida, Nadine Jansen, Yoshiye Yoshida, Nahoko Iida, Margie Yanagisko, Kozuko Okasaki, Ford Yanagisako, Richard Steward, Alfred Parriek, Everett Parriek, Virginia McColough, Lauren Lauridson, Isam Yanagisako, Norman Johnson, Nora Mae Parriek, May Fujinaka, Jack Takamoto, Susumn Fujinaka, Jimmy Takamoto, Jess Miller, Fred Miller, Seigi Yoshida, Daisy Miller, Misaye Yanigisako, Ruby Parriek, Donald Johnson, Bert Miller, Jimmy Hori-zumi and Matsuyo Yoshida; parents, Mrs. Lauridson, Mrs. McClough, Mrs. Hawkins; teacher, Mrs. Wm. Foley.

On request of Mr. Kepple, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Eleanor McDougall, and Lilian Douglas of Covina.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Georgia Crowley and Paula Crowley of Suisun.

On request of Mr. O'Day, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to John Charles Houlihan of San Francisco.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Theo. Nelson and Magge Nelson of Nevada City; Captain C. E. Brenner of Oakland, also Mrs. Lee Kettner of Oakland.

On request of Mr. Poulson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mary Virginia Morris and Mrs. Ethel Baum of Los Angeles.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Stephens Miranda of Los Angeles.

On request of Mr. Gallagher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dorothy Harges, Mr. and Mrs. Al Fisk and Frank Rogers, all of San Francisco.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edith Britol, Women's Page writer of the San Francisco Call Bulletin.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Robert J. Martineau, attorney-at-law, of Chicago.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Annie Woodall and Mrs. Grace Patty of Berkeley.

On request of Mr. Houser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Lu G. Miller and Miss Madelene Woodbury of Alhambra, also Mr. and Mrs. Ed. C. Petersen and Brad Petersen of South Pasadena.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Laura La Vell of Los Angeles and Miss Mary T. Leddy of Pasadena.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ann Sheridan, James Sheridan and Miss Henriette Haraek.

On request of Mr. Burns, Michael J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Michael McHugh and his brother Rev. Father McHugh.

Adjournment Sine Die.

At five o'clock p.m. on Friday, May 24, 1940, in accordance with Senate Concurrent Resolution No. 2, the Hon. Gordon H. Garland, Speaker of the Assembly, announced that the time for final adjournment of the fifty-third (second extraordinary) session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned.

JACK CARL GREENBURG,
Chief Clerk of the Assembly.

DAVID V. OLIVER,
Minute Clerk of the Assembly.

GORDON H. GARLAND,
Speaker of the Assembly.

GARDINER JOHNSON,
Speaker pro tempore of the Assembly.

ASSEMBLY BILLS APPROVED BY GOVERNOR, CHAPTERED AND FILED WITH THE SECRETARY OF STATE

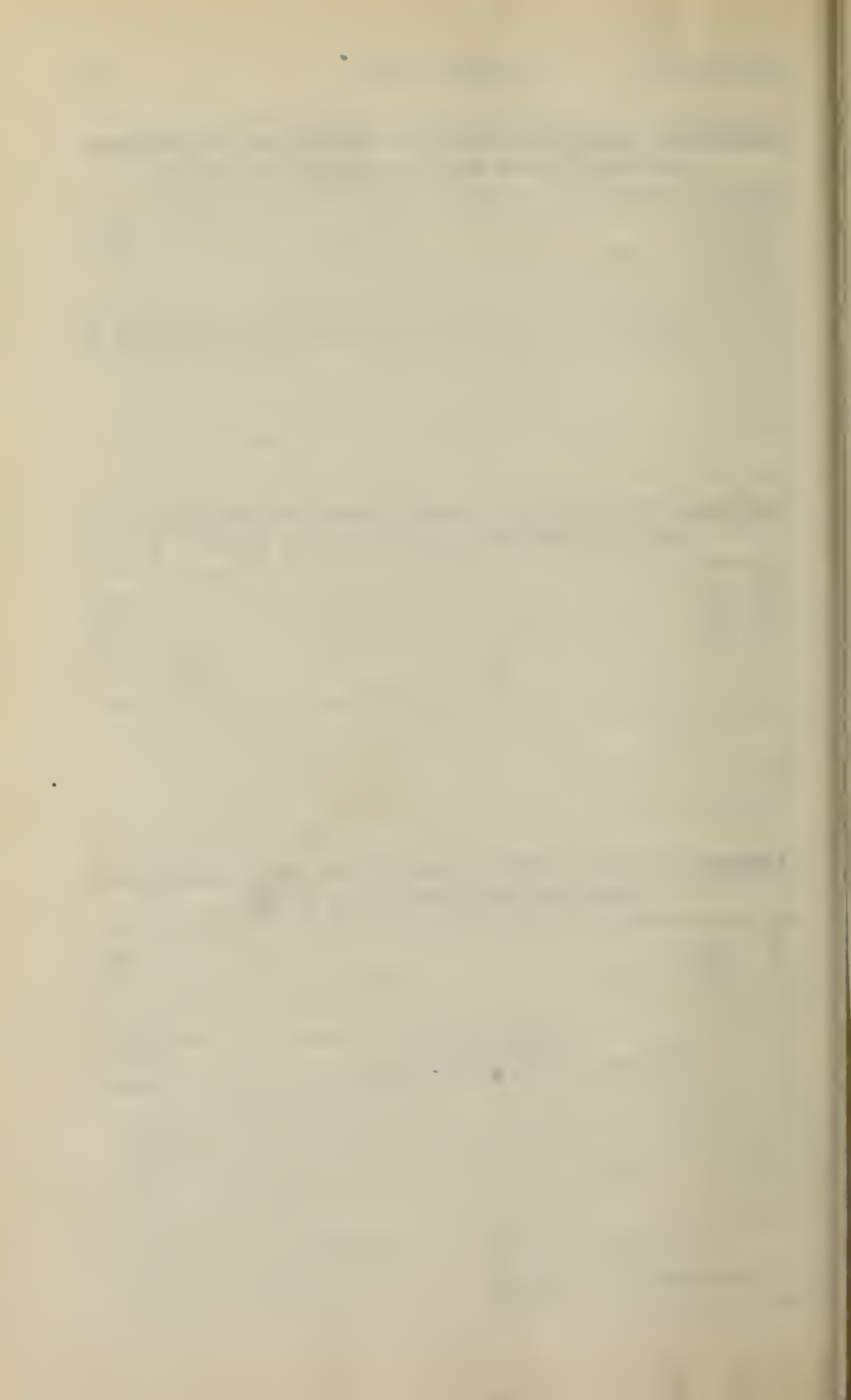
A. B. Number	Chapter	Author	Subject of Title	Approved by Governor
1	2	Desmond, et al.	Appropriation to Reclamation Board, flood control	May 29
2	3	Knight	Appropriation to Department of Natural Resources, fire prevention	May 29

ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	6	Doyle	Re Improvement Dorehester Ditch	May 28

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	2	Tenney	Re purge of Communism	May 24
2	7	Miller, George P., et al.	Re land defenses of the United States	June 2



INDEX

1112

INDEX TO ASSEMBLY JOURNAL

ASSEMBLY BILLS NO.

PAGE

1. Introduced, referred to Legislative Counsel, read first time, 32; from committee: Do pass as amended, read second time, amended, re-referred to committee, 42; reported correctly engrossed, re-referred to committee, 47; from committee: Do pass, 50; read second time, consideration of urgency clause, call of Assembly, call of Assembly dispensed with, urgency clause refused adoption, 51; notice of motion to reconsider urgency clause, temporary suspension of Rules for reconsideration of urgency clause, motion to reconsider granted, call of Assembly, 52; call of Assembly dispensed with, urgency clause refused adoption, 54; point of order on motion to expunge record, record expunged, 58; urgency clause adopted, read third time, passed, to Senate, 70; passed by Senate, with amendments, 78; amendments concurred in, 79; to Governor, 83; approved by Governor, Chap. 2-----	85
2. Introduced, referred to Legislative Counsel, read first time, 32; from committee: Do pass as amended, read second time, amended, 46; reported correctly engrossed, re-referred to committee, from committee: Do pass as amended, read second time, amended, 50; reported correctly re-engrossed, 58; read third time, motion for Committee of the Whole; motion for call of Assembly; roll call requested, call of Assembly, 62; call of Assembly dispensed with, motion for Committee of the Whole lost, 63; read third time, amended, 67; read third time, passed, to Senate, 70; passed by Senate, with amendments, 78; amendments concurred in, 79; to Governor, 83; approved by Governor, Chap. 3-----	85
3. Introduced, referred to Legislative Counsel, read first time, 32; from committee without further action-----	83
4. Introduced, referred to Legislative Counsel, 36; read first time, 40; from committee without further action-----	83
5. Introduced, referred to Legislative Counsel, 36; read first time, 40; notice of motion to withdraw, 43; withdrawal refused, 62; from committee without further action-----	83
6. Introduced, referred to Legislative Counsel, read first time, 45; from committee: Do pass, read second time, reported correctly engrossed, 74; remained on calendar without further action.	
7. Introduced, referred to Legislative Counsel, read first time, 45; from committee without further action-----	83
8. Introduced, referred to Legislative Counsel, read first time, 45; from committee without further action-----	83
9. Introduced, referred to Legislative Counsel, read first time, 45; from committee without further action-----	83
10. Introduced, referred to Legislative Counsel, 51; read first time, 53; from committee without further action-----	83
11. Introduced, referred to Legislative Counsel, 51; read first time, 53; from committee without further action-----	83

ASSEMBLY CONCURRENT RESOLUTIONS.

1. Introduced, 36; amendments adopted, 53; reported correctly engrossed, 57; adopted, to Senate, 70; adopted in Senate, 78; to Governor, 83; filed with Secretary of State, Res. Chap. 6-----	85
2. Introduced, 40; from Senate without further action-----	82
3. Introduced, 45; from committee: Be adopted, considered by unanimous consent, considered engrossed, adopted, to Senate, 54; from Senate without further action-----	82
4. Introduced, considered engrossed, adopted, to Senate, 61; from Senate without further action-----	82

ASSEMBLY JOINT RESOLUTIONS.

1. Introduced, unanimous consent withheld; Rules suspended, demand for previous question, call of Assembly, call of Assembly dispensed with, adopted, to Senate, 33-34; adopted in Senate, 66; to Governor, 74; filed with Secretary of State, Res. Chap. 2-----	85
2. Introduced, 63; from committee: Be adopted, 65; reported correctly engrossed, 69; adopted, to Senate, 70; adopted in Senate, 82; to Governor, 83; filed with Secretary of State, Res. Chap. 7-----	85

HOUSE RESOLUTIONS (Alphabetically).

	PAGE
ADJOURNMENT, SINE DIE, committee to notify Governor Assembly ready for, H. R. 23, adopted, 83; committee to notify Senate Assembly ready for, H. R. 22, adopted.....	83
ATTACHES, appointment of, H. R. 6, adopted, 26; record expunged, action rescinded; referred to Committee on Attaches, 40; ratifying pay for, H. R. 18, adopted.....	71
BUSINESS REPRESENTATIVES, ratifying, H. R. 16, adopted.....	55
CONTINGENT EXPENSES, Chief Clerk's office, H. R. 10, adopted, 44; payment of, H. R. 20, adopted.....	81
CORWIN, GORDON W., re marriage of, to Mrs. Ruth Moon, H. R. 19, adopted.....	75
DAY, ALBERT, ratifying payment of salary for, H. R. 18, adopted.....	71
FROG JUMPING CONTEST, re, H. R. 13, adopted.....	50
GOVERNOR, appointing committee to inform of Assembly organization, H. R. 3, adopted, 3; committee to inform Assembly ready to adjourn, H. R. 23.....	83
INDIANS, re claim of, H. R. 15, referred to Committee on Rules, 53; from committee: Be adopted, considered by unanimous consent, adopted, 55; record expunged, action rescinded, amended, adopted.....	66
KELLEMS, MRS. JESSE RANDOLPH, re illness of, H. R. 12, adopted.....	44
LEGISLATION, appointing committee to confer with Senate committee on procedure re, H. R. 5, adopted.....	24
McGROARTY, MRS. JOHN STEVEN, honoring memory of, H. R. 17, adopted.....	55
MILEAGE, payment of, H. R. 7, referred to Committee on Rules, 26; from committee: Be adopted as amended, amended, adopted.....	38
MOON, MRS. RUTH, re marriage of, to Gordon W. Corwin, H. R. 19, adopted.....	75
NEWSPAPER REPRESENTATIVES, ratifying press cards, H. R. 16, adopted.....	55
OFFICERS, Assembly, H. R. 1, adopted.....	2
OGG, WILKIE, expressing appreciation to, H. R. 21, adopted.....	82
PATTERSON, ROBERT LINCOLN, honoring memory of, H. R. 8, adopted.....	36
REVOLVING FUND, Post office, H. R. 11, adopted.....	44
RIFLES, adopting, H. R. 4, adopted, 3; amending, H. R. 9, ordered printed in Journal, 39; adopted.....	63
SCRAP IRON, preservation of, H. R. 14, referred to Committee on Rules, 51; from committee: Be adopted, 65; adopted.....	75
SENATE, inform, of Assembly organization, H. R. 2, adopted, 3; inform, Assembly ready to adjourn, H. R. 22, adopted.....	83
SERGEANT-AT-ARMS, expressing appreciation to, H. R. 21, adopted.....	82

HOUSE RESOLUTIONS (Numerically).

No.		
1.	Naming officers of Assembly, adopted.....	2
2.	Informing Senate of Assembly organization, adopted.....	3
3.	Informing Governor of Assembly organization, adopted.....	3
4.	Adopting Rules, adopted.....	3
5.	Committee to confer with Senate committee on procedure re legislation, adopted.....	24
6.	On attaches, adopted, 26; record expunged, action rescinded, referred to Committee on Attaches.....	40
7.	Payment of mileage, referred to Committee on Rules, 26; from committee: Be adopted as amended, 37; amended, adopted.....	38
8.	Patterson, Robert Lincoln, honoring memory of, adopted.....	36
9.	Amending Rules, ordered printed in Journal, 39; adopted.....	63
10.	Pay contingent expenses, Chief Clerk's office, adopted.....	44
11.	Post office revolving fund, adopted.....	44
12.	Illness of Mrs. Jesse Randolph Kellems, adopted.....	44
13.	Frog Jumping Contest, adopted.....	50
14.	Preservation of scrap iron, referred to Committee on Rules, 51; from committee: Be adopted, 65; adopted.....	75
15.	Claim of Indians of California; referred to Committee on Rules, 53; from committee: Be adopted, considered by unanimous consent, adopted, 55; record expunged, action rescinded, amended, adopted.....	66
16.	Ratifying cards of newspaper and business representatives, adopted.....	55
17.	Honoring memory of Mrs. John Steven McGroarty, adopted.....	55
18.	Ratifying payment of salary for attache, adopted.....	71
19.	Congratulating Gordon W. Corwin on coming marriage, adopted.....	75
20.	Payment of contingent expenses, adopted.....	81
21.	Expressing appreciation to Wilkie Ogg, adopted.....	82
22.	Inform Senate Assembly ready to adjourn, adopted.....	83
23.	Inform Governor Assembly ready to adjourn.....	83

SENATE BILLS.

No.	PAGE
10. Read first time, 78; signed out by committee: Do pass, 79; ease of urgency, Constitution suspended, read second time, urgency clause adopted, read third time, passed, to Senate-----	81
33. Read first time, 77; from committee: Do pass, ease of urgency, Constitution suspended, read second time, urgency clause adopted, read third time, passed, to Senate-----	80

SENATE CONCURRENT RESOLUTIONS.

No.		
1.	In Assembly, unanimous consent withheld, motion to temporarily suspend Rules, call of Assembly, call of Assembly dispensed with, motion to suspend Rules lost, referred to committee, 42-43; from committee: Be adopted, 44; adopted, to Senate, 46; message from the Governor, 48; answer to Governor's message-----	61
2.	In Assembly, 73; from committee: Be adopted, adopted, to Senate--	81

SENATE JOINT RESOLUTIONS.

No.		
1.	In Assembly, adopted, to Senate-----	74
2.	In Assembly, adopted, to Senate-----	78

A

ADJOURN. <i>See</i> MOTION TO.	
ADJOURNMENT. Sine die -----	84
ALLEGIANCE. Motion to pledge, to our Flag, 35; pledge of-----	57
ALLEN, DON A.	
PREVIOUS QUESTION, demanded-----	33
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems-----	44
ANDREAS, GODFREY A.	
COMMITTEE, appointed on, inform Senate Assembly ready to adjourn-----	83
RESOLUTION BY, marriage of Gordon W. Corwin-----	75
ANNOUNCEMENT. Of changes in committee appointments, 41; of officers present-----	1
ANSWER. By Committee on Employment, to Governor's message re S. C. R. 1, S. B. 86-----	61
ASSEMBLY. Convened-----	1
ATKINSON, MAURICE E.	
ABSENCE, granted leave of-----	49
COMMITTEE, appointed on, inform Governor Assembly ready to adjourn-----	83
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems-----	44
UNANIMOUS CONSENT, withheld, S.C.R. 1-----	42
ATTACHES. Appointment of. <i>See</i> HOUSE RESOLUTIONS.	

B

BAILEY, REV. RAYMOND L. Appointed Chaplain-----	26
BASHORE, LEE T.	
RESOLUTION BY, preservation of scrap iron-----	51
BAUM, ETHEL. Extended privilege of floor-----	84
BECKER, PETER. Extended privilege of floor-----	55
BENEDETTI, PALMA. Extended privilege of floor-----	71
BIGELOW, MR. AND MRS. WILLIAM. Extended privilege of floor-----	55
BOICELLI, ANTHONY E. Extended privilege of floor-----	75
BOND, C. E. Extended privilege of floor-----	71
BOOTH, C. W. Appointed Assistant Chief Clerk-----	26
BREED, SENATOR ARTHUR H., JR. Committee from Senate, announcing readiness to adjourn-----	82
BRENNER, CAPTAIN C. E. Extended privilege of floor-----	84
BURNS, MICHAEL J.	
POINT OF ORDER BY, expunging record, urgency clause, A. B. 1-----	58
BURSON, ROSCOE W.	
COMMITTEE, appointed on, inform Governor of Assembly organization-----	3
PREVIOUS QUESTION, demanded-----	33
BRITOL, EDITH. Extended privilege of floor-----	83
BROWN, MRS. HARRY V. Extended privilege of floor-----	56
BROWN, LOUIS. Extended privilege of floor-----	55
BROWN, MR. AND MRS. OTIS N. Extended privilege of floor-----	75

C

CALKINS, MRS. L. C. Extended privilege of floor-----	76
CALKINS, MARTHA. Extended privilege of floor-----	76

	PAGE
CALL OF ASSEMBLY.	
MOTION FOR, re Golden Gate International Exposition preview, 33; A. J. R. 1, 34; S. C. R. 1, 43; urgency clause, A. B. 1, 51, 52; withdraw A. B. 5, 62; Committee of Whole, A. B. 2	63
MOTION TO DISPENSE WITH, A. J. R. 1, 34; S. C. R. 1, 43; urgency clause, A. B. 1, 51, 54; withdraw A. B. 5, 61; Committee of Whole, A. B. 2	64
CALL, HARRISON W.	
SUBSTITUTE MOTION, communication from Governor be printed	28
CAPRINO, CATHERINE. Extended privilege of floor	71
CAPRINO, MRS. L. D. Extended privilege of floor	71
CARLSON, ARTHUR W.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems, 44; urgency, S. B. 33	79
CHIEF CLERK. See GREENBURG, JACK CARL	
CLARKE, GEORGE A.	
COMMITTEE, appointed on, inform Governor of Assembly organization	3
PREVIOUS QUESTION, demanded	33
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems	44
COMMITTEE ON EMPLOYMENT, JOINT FACT-FINDING. Answer by, to Governor's message, S. C. R. 1, S. B. 86	61
COMMITTEES. See also GARLAND, GORDON H., appointment of committees.	
STANDING, appointment of, 24; changes in	41
SENATE, announcing organization of, 3; announcing readiness to adjourn	82
COMMUNICATIONS. From—	
COMMITTEE ON EMPLOYMENT, answer to Governor's message, re S. C. R. 1, S. B. 86	61
OLSON, GOVERNOR CULBERT L., re call for second extraordinary special session, 29; re S. R. C. 1, S. B. 86	61
REDWINE, KENT H., expressing appreciation	28
SOUTHSIDE CHAMBER OF COMMERCE, Los Angeles, commending members re revenue measures	42
CONNOLLY, MICHAEL. Appointed Assistant Sergeant-at-Arms	26
CORREA, DOMINGO. Appointed Page	26
CORWIN, GORDON W.	
JOURNAL, motion to dispense with reading of	49
RESOLUTION re marriage of	75
CROWLEY, GEORGIA. Extended privilege of floor	84
CROWLEY, PAULA. Extended privilege of floor	84
CRUCIANI, PAUL. Extended privilege of floor	55
D	
DALEY, JEANETTE E.	
CALL OF ASSEMBLY, motion for, temporary suspension of Rules, S. C. R. 1	43
RULES, Motion to temporarily suspend, S. C. R. 1	43
DAVIES, RICHARD. Extended privilege of floor	71
DAVIES, WILLIAM. Appointed Assistant Sergeant-at-Arms	26
DAY, ALBERT. Appointed Journal Clerk, 26; ratifying pay for	71
DEL MUTOLO, M. G.	
ABSENCE, granted leave of	49
DESMOND, EARL D.	
ADJOURN, motion to	34, 36, 40, 56, 67, 71, 76
CALL OF ASSEMBLY, motion for, urgency clause, A. B. 1, 51, 52; withdraw A. B. 5, 62; motion to dispense with, urgency clause A. B. 1, 51.	54
COMMITTEE, appointed on, confer with Senate committee on procedure re legislation	24
JOURNAL, motion to dispense with reading of, 77; motion to approve	83
RECESS, motion for	33, 46
RESOLUTION BY, adopting Rules, 3; appointing officers of Assembly, 2; appointing committee confer with Senate on procedure re legislation	24
DESMOND, LOUIS. Appointed Page	26
DE TOY, LEO. Extended privilege of floor	55
DEWEESE, C. E. Extended privilege of floor	71
DICKENSON, JENELL L. Extended privilege of floor	71
DILLS, RALPH C.	
JOURNAL, motion to dispense with reading of	35
DILWORTH, NELSON S.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems	44
DOERING, GEORGE. Appointed Assistant Sergeant-at-Arms	26
DONNELLY, HUGH P.	
JOURNAL, motion to dispense with reading of	41
DOOLING, MAE. Extended privilege of floor	56
DOUGLAS, LILLIAN. Extended privilege of floor	83
DOYLE, THOMAS J.	
FLAG, motion to pledge allegiance to	85

E

	PAGE
EDEN, DELL. Extended privilege of floor.....	56
EMPLOYMENT. Assembly Fact-Finding Committee on, permission granted, to print statement; statement by, re S. C. R. 1, S. B. 86.....	61
EVANS, JOHN W.	
ABSENCE, granted leave of.....	49
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems.....	44
EXPUNGE RECORD, RESCIND ACTION. Motion to, H. R. 6, 40; H. R. 15, 66; urgency clause, A. B. 1.....	58

F

FIELD, C. DON.	
ABSENCE, granted leave of.....	37
CALL OF ASSEMBLY, motion to dispense with, S. C. R. 1.....	43
COMMITTEE, appointed on, inform Senate of Assembly organization.....	3
PREVIOUS QUESTION, demanded.....	33
PRINT COMMUNICATION from Kent H. Redwine, motion to.....	28
RESOLUTION BY, honoring memory of Mrs. John Steven McGroarty, 55; illness of Mrs. Jesse Randolph Kellems, 44; inform Senate of Assembly organization.....	3
FISK, MR. AND MRS. AL. Extended privilege of floor.....	84
FITZGERALD, JOHN E. Appointed Assistant Sergeant-at-Arms.....	26
FLAG. Motion to pledge allegiance to.....	35
FLORES, JOE. Extended privilege of floor.....	75
FOLEY, MRS. WM. Extended privilege of floor.....	83
FROG JUMPING CONTEST. Resolution re.....	50
FULCHER, CLINTON J.	
COMMITTEE, appointed on, confer with Senate committee on procedure re legislation, 24; inform Governor Assembly ready to adjourn.....	83
JOURNAL, motion to dispense with reading of.....	57
RESOLUTION BY, inform Governor Assembly ready to adjourn.....	83

G

GALLAGHER, DAN.	
ABSENCE, granted leave of.....	57
COMMITTEE, appointed on, inform Governor of Assembly organization.....	3
GANNON, CHESTER F.	
ABSENCE, granted leave of.....	49, 57, 65, 69
GANNON, ROBERT. Extended privilege of floor.....	76
GARLAND, GORDON II.	
ADJOURNED Assembly sine die.....	84
ANNOUNCED changes in committee personnel.....	41
COMMITTEES, APPOINTMENT OF, confer with Senate Committee on Procedure re Legislation, 24; inform Governor of Assembly organization, 3; inform Governor Assembly ready to adjourn, 83; inform Senate of Assembly organization, 3; inform Senate Assembly ready to adjourn, 83; standing.....	24
OATH OF OFFICE BY.....	2
ROLL CALL, ordered.....	63
RULING on point of order, expunge record, urgency clause, A. B. 1.....	58
GEORGI, FRANK O. Extended privilege of floor.....	64
GILBERT, WILBUR F.	
ABSENCE, granted leave of.....	65, 69, 77
GILMORE, JOSEPH P.	
JOURNAL, motion to dispense with reading of.....	73
GOLDBURG, RABBI NORMAN M. Prayer by.....	57
GOLDEN GATE INTERNATIONAL EXPOSITION. Offer to stage preview, presentation of preview made special order of business.....	32
GORDON, CECIL. Extended privilege of floor.....	47
GOVERNOR. See OLSON, GOVERNOR CULBERT L.	
GREEN, ROBERT MILLER.	
ABSENCE, granted leave of.....	37
COMMITTEE, appointed on, inform Senate Assembly ready to adjourn.....	83
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems.....	44
GREENBURG, JACK CARL. Appointed Chief Clerk, 26; oath of office, 2; present at opening of session.....	1
GUSTAFSON, HAROLD. Extended privilege of floor.....	75

	PAGE
HAGERTY, HON. CHARLES J. Administered oaths of office.....	2
HANSEN, META. Extended privilege of floor.....	75
HARACK, HENRIETTE. Extended privilege of floor.....	84
HARDES, DOROTHY. Extended privilege of floor.....	84
HAWKINS, AUGUSTUS F.	
RESOLUTION BY, pay contingent expenses, Chief Clerk's office; post office revolving fund.....	44
HAWKINS, MRS. Extended privilege of floor.....	83
HEGLEMAN, MR. AND MRS. GEORGE J. Extended privilege of floor.....	75
HENRY, HENRIETTE. Extended privilege of floor.....	34
HOFFMAN, LEE J. Appointed Assistant Sergeant-at-Arms.....	26
HOULIHAN, JOHN CHARLES. Extended privilege of floor.....	84
HOUSER, FREDERICK F.	
Adjourn, motion to.....	64
CALL OF ASSEMBLY, motion for, Committee of Whole, A. B. 2, motion to dispense with, Committee of Whole, A. B. 2.....	64
PRESIDING.....	40
RESOLUTION BY, honoring memory of Mrs. John Steven McGroarty, 55; illness of Mrs. Jesse Randolph Kellems.....	44
HUCKATHORNE, HARRIET. Extended privilege of floor.....	71
HURD, MRS. E. C. Extended privilege of floor.....	76
I	
INDIANS. Introduction of Mission Tribe of.....	51
J	
JONES, WINIFRED. Extended privilege of floor.....	71
JOHNSON, GARDINER.	
COMMITTEE OF WHOLE, motion for, A. B. 2.....	63
OATH OF OFFICE.....	2
PRESIDING.....	43, 69
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems, 44; marriage of Gordon W. Corwin.....	75
JOURNAL. Motion to approve as corrected, 82, 83; motion to dispense with reading of. See MOTION.	
K	
KELLEMS, JESSE RANDOLPH.	
ABSENCE, granted leave of.....	1
RESOLUTION BY, marriage of Gordon W. Corwin.....	75
KELLEMS, MRS. JESSE RANDOLPH. Resolution re illness of.....	44
KEPPLE, GERALD C.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems, 44; marriage of Gordon W. Corwin.....	75
KETTNER, MRS. LEE. Extended privilege of floor.....	84
KILPATRICK, VERNON.	
ABSENCE, granted leave of.....	49
VOTE, EXPLANATION OF, A. J. R. 1.....	34
KINNEY SCHOOL. PUPILS OF, extended privilege of floor.....	83
KNIGHT T. FENTON.	
AMEND A. B. 2, motion to.....	67
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems.....	44
RE-FER A. B. 2 to committee, motion to.....	50
KUCHEL, THOMAS H.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems.....	44
L	
LARKIN, LILLIAN. Appointed stenographer.....	26
LAURIDSON, MRS. Extended privilege of floor.....	83
LA VELL, LAURA. Extended privilege of floor.....	84
LAWRENCE, MARIE E. Extended privilege of floor.....	71
LAWSON, HELEN. Extended privilege of floor.....	56
LEONARD, JACOB M.	
Adjourn, motion to.....	47
LEDDY, MARY T. Extended privilege of floor.....	84

	PAGE
LEGISLATIVE PROCEDURE. Resolution appointing committee to confer with Senate committee re.....	24
LEVIATT, WILLIAM. Extended privilege of floor.....	47
LEWIS, ELIZABETH. Extended privilege of floor.....	75
LOMAX, REV. PAUL. Extended privilege of floor.....	71
LORE, ELMER E.	
COMMUNICATION FROM GOVERNOR, motion to read.....	28
RESOLUTION BY, honoring memory of Mrs. John Steven McGroarty.....	35
LULL, HAROLD (BILLY). Extended privilege of floor.....	75
LYON, CHARLES W.	
ABSENCE, granted leave of.....	41
AMEND H. R. 15, motion to.....	66
COMMITTEE, appointed on, confer with Senate committee on procedure re legislation.....	24
EXPUNGE RECORD, RESCIND ACTION, motion to, H. R. 15, 66; urgency clause, A. B. 1.....	56
JOURNALS, motion to correct.....	82
PRINT PROCLAMATION, motion to.....	2
RESOLUTION BY, ratifying employment of attache.....	71
LYONS, TOM. Appointed Assistant Sergeant-at-Arms.....	26

M

MARTINEAU, ROBERT J. Extended privilege of floor.....	83
MASSION, JACK.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems.....	44
MAYO, SENATOR JESSE M. Committee from Senate announcing organization, 3; committee from Senate announcing readiness to adjourn.....	82
MILES, MR. AND MRS. FRED. Extended privilege of floor.....	75
MILLER, ELEANOR.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems, 44; marriage of Gordon W. Corwin.....	75
MILLER, FRANK. Extended privilege of floor.....	71
MILLER, FRED. Extended privilege of floor.....	55
MILLER, GEORGE P.	
ABSENCE, granted leave of.....	49
CALL OF ASSEMBLY, motion for.....	33
GOLDEN GATE INTERNATIONAL EXPOSITION, motion to accept offer for preview.....	32
MILLER, LU G. Extended privilege of floor.....	84
MILLIKEN, W. W. Extended privilege of floor.....	71
MILLINGTON, SETH.	
COMMITTEE, appointed on, inform Senate Assembly ready to adjourn.....	83
RECONSIDER urgency clause A. B. 1, motion to; notice of motion to.....	52
RE-REFER A. B. 1 to committee, motion to.....	47
RESOLUTION BY, inform Senate Assembly ready to adjourn.....	83
WITHDRAWN AND RE-REFER A. B. 1, motion to.....	42
MIRANDA, MR. AND MRS. STEPHENS. Extended privilege of floor.....	84
MISSION TRIBE OF INDIANS. Introduction of.....	51
MEMBERS. Roll call of.....	1
MERRILL, ROSE. Extended privilege of floor.....	56
MINUTE CLERK. See OLIVER, DAVID V.	
MJOESNES, HAROLD. Extended privilege of floor.....	71
MOON, RUTH. Resolution re marriage of, to Gordon W. Corwin.....	75
MOONEY, MARIANA. Extended privilege of floor.....	71
MORRIS, MARY VIRGINIA. Extended privilege of floor.....	84
MOTION.	
ADJOURN.....	36, 40, 47, 56, 64, 67, 72, 76
JOURNALS, approve and correct, 82, 83; dispense with reading of.....	37, 41, 49, 57, 65, 69, 73, 77
PLEDGE ALLEGIANCE to Flag.....	35
READ COMMUNICATION from Governor.....	28
RECESS.....	33, 46, 51
MURPHY, WM. Appointed Chief Page.....	26
MYERS, EUGENE. Extended privilege of floor.....	71

Mc.

McBRIDE, SENATOR JAMES J. Committee from Senate, announcing organization.....	3
McCLOUGH, MRS. Extended privilege of floor.....	83
McDOUGALL, ELEANOR. Extended privilege of floor.....	83

MCGROARTY, MRS. JOHN STEVEN. Adjournment out of respect to memory of, 56; resolution honoring memory of	55
McHUGH, MICHAEL. Extended privilege of floor	84
McHUGH, REV. FATHER. Extended privilege of floor	84
McKEE, ABIGAIL ROLPH. Extended privilege of floor	71
McKEE, JOHN ROLPH. Extended privilege of floor	71
McKENZIE, HAROLD. Appointed Page	20

N

NATHAN, ED. Appointed Assistant Sergeant-at-Arms	26
NELSON, MAGGE. Extended privilege of floor	84
NELSON, MRS. THEO. Extended privilege of floor	84
NIELSEN, SENATOR ROY J. Committee from Senate, announcing readiness to adjourn	82

O

OATHS OF OFFICE. Administered	2
OFFICERS OF SENATE. Message setting forth	28
OGG, WILKIE. Appointed Sergeant-at-Arms, 26; oath of office of, 2; present for convening of session	1
O'DAY, EDWARD F. ABSENCE, granted leave of	37, 57
O'DONNELL, JOHN H. CALL OF ASSEMBLY, motion to dispense with, withdraw A. B. 5	63
WITHDRAW A. B. 5, motion to, 61; notice of motion to	43
O'LEARY, LILLIAN. Extended privilege of floor	56
OLIVER, DAVID V. Appointed Minute Clerk, 26; present for convening of session	1
OLSON, GOVERNOR CULBERT L. COMMUNICATION FROM	28
MESSAGE FROM, re S. C. R. 1, 58; answer to message on S. C. R. 1, S. B. 86	61
PROCLAMATION BY	2

P

PALU, CYPRIEN. Extended privilege of floor	55
PATTERSON, DOC. Extended privilege of floor	75
PATTERSON, ROBERT LINCOLN. Adjournment out of respect to memory of, 36; resolution honoring memory of	36
PETERSEN, BRAD. Extended privilege of floor	84
PETERSEN, MR. AND MRS. ED. C. Extended privilege of floor	84
PHILLIPS, JAMES H. ABSENCE, granted leave of	37, 49
COMMITTEE, appointed on, inform Senate of Assembly organization	3
PLEDGE TO THE FLAG. By Assembly	57
POINT OF ORDER. By Burns, M. J., expunging record, urgency clause, A. B. 1	58
POULSON, NORRIS. ABSENCE, granted leave of	1, 35, 37
PRAYER. Goldburg, Rabbi Norman M., 57; Tonness, Rev. Alfred	49, 69, 73, 77
PROCLAMATION. By Governor	2

Q

QUINN, JOAN. Extended privilege of floor	76
QUINN, JUDGE JAMES. Extended privilege of floor	55

R

RAHLIN, EMILY. Extended privilege of floor	75
RAHLIN, LOUIS. Extended privilege of floor	75
REAVES, FRED. ADJOURNMENT out of respect to memory of	64
RECESS. See MOTION.	
REDWINE, KENT H. ABSENCE, granted leave of	1
COMMUNICATION from	28

	PAGE
REED, FRANK. Appointed History Clerk-----	26
RICHIE, PAUL A.	
ABSENCE, granted leave of-----	49
VOTE, EXPLANATION OF, A. J. R. 1-----	34
RIKER, FATHER WILLIAM E. Extended privilege of floor-----	71
ROBERTSON, ALFRED W.	
COMMITTEE, appointed on, inform Senate of Assembly organization-----	3
ROGERS, FRANK. Extended privilege of floor-----	84
ROLL CALL. Of members, 1; request for-----	63
ROSENTHAL, BEN.	
VOTE, explanation of, A. J. R. 1-----	34
UNANIMOUS CONSENT WITHHELD, A. J. R. 1-----	33
RULES. Of session, 3; resolution adopting, 3; resolution amending, 39; temporarily suspended, consideration A. J. R. 1, 33; S. C. R. 1, 43; urgency clause, A. B. 1-----	52
RUSS, MRS. FRED. Extended privilege of floor-----	75
RYAN, JAMES R. Extended privilege of floor-----	55

S

SCHOFF, MRS. C. E. Extended privilege of floor-----	56
SCRAP IRON. Resolution re preservation of-----	51
SCUDDER, HUBERT B.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems-----	44
SENATE.	
COMMITTEE FROM, announcing organization of, 3; announcing readiness to adjourn-----	82
MESSAGE FROM, setting forth officers of Senate-----	28
SERGEANT-AT-ARMS. See OGG, WILKIE.	
SEYDEN, RAYMOND. Extended privilege of floor-----	55
SHERIDAN, ANN. Extended privilege of floor-----	84
SHERIDAN, JAMES. Extended privilege of floor-----	84
SHERIDAN, BERNARD A.	
ABSENCE, granted leave of-----	49
JOURNAL, motion to dispense with reading of-----	69
SINE DIE. Adjournment-----	84
SOUTHSIDE CHAMBER OF COMMERCE. Communication from, commending members re revenue measures-----	42
SPEAKER. See GARLAND, GORDON H.	
SPECIAL COMMITTEES. See GARIAND, GORDON H., appointment of committees.	
SPECIAL ORDER. Motion for, Golden Gate International Exposition preview-----	32
STANDING COMMITTEES. Appointment of, 24; changes in-----	41
STATEMENT. By Committee on Employment, answer to Governor's message re S. C. R. 1, S. B. 86-----	61
STETSON, ROSEMARIE. Extended privilege of floor-----	71
STREAM, CHARLES W.	
PREVIOUS QUESTION, demanded-----	33
RECESS, motion for-----	51
RESOLUTION BY, claim of Indians of California, 53; marriage of Gordon W. Corwin-----	75
SUBSTITUTE MOTION. By Mr. Call, re printing of communication from Governor-----	28

T

TAYLOR, J. R. Extended privilege of floor-----	75
TENNEY, JACK B.	
CALL OF ASSEMBLY, motion for, A. J. R. 1, 34; motion to dispense with A. J. R. 1-----	34
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems-----	44
THOMSEN, B. Extended privilege of floor-----	55
THURMAN, ALLEN G.	
COMMITTEE, appointed on, inform Governor Assembly ready to adjourn-----	83
RESOLUTION BY, re Frog Jumping Contest-----	50
TONNESS, REV. ALFRED. Prayer by-----	49, 69, 73, 77

	PAGE
TURNER, RODNEY L.	
COMMITTEE, appointed on, inform Governor of Assembly organization-----	3
JOURNAL, motion to dispense with reading of-----	37
RESOLUTION BY, honoring memory of Robert Lincoln Patterson, 36; inform Governor of Assembly organization-----	3
VAN DER VOIGEN, MAMIE. Extended privilege of floor-----	75
VOIGT, ERNEST O.	
COMMITTEE, appointed on, inform Governor of Assembly organization-----	3
EXPUNGE RECORD, RESCIND ACTION, motion to, H. R. 6-----	40
RESOLUTION BY, payment of contingent expenses, 81; ratifying employment of attache-----	71
VOTE, EXPLANATION OF. By Mr. Kilpatrick, A. J. R. 1, 34; by Mr. Richie, A. J. R. 1, 34; by Mr. Rosenthal, A. J. R. 1-----	34

W

WATERS, FRANK J.	
AMENDMENT TO H. R. 7, offered-----	37
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems, 44; mileage-----	26
WATSON, CLYDE A.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems-----	44
WEBER, CHARLES M.	
RESOLUTION, urgency, S. B. 10-----	80
WILKINGS, HERBERT J. Extended privilege of floor-----	76
WING, ELIZABETH. Extended privilege of floor-----	71
WILLIAMSON, RAY.	
ABSENCE, granted leave of-----	37, 41, 49
WOLLENBERG, ALBERT O.	
COMMUNICATION, permission granted to print-----	61
STATEMENT BY, Governor's message, re S. C. R. 1, S. B. 86-----	61
WOODALL, ANNIE. Extended privilege of floor-----	83
WOODBURY, MADELENE. Extended privilege of floor-----	84

Y

YORTY, SAMUEL WILLIAM.	
RESOLUTION BY, illness of Mrs. Jesse Randolph Kellems-----	44

